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The Week

WAR flared at both ends of the Eurasian continent during the week ending July 13. Japanese soldiers clashed with Chinese near Peiping; Japan used the incident in her usual way to make demands which would cover further military penetration of China. It was uncertain whether Nanking would offer forcible resistance, but both nations started large troop movements. . . . In Spain the government carried out a large-scale offensive west of Madrid to lift the siege and cut the rebels' communications; early successes of considerable importance were gained, but the ultimate outcome was in doubt pending an expected counter-offensive. . . . The Non-Intervention Committee found no formula to settle its troubles. France announced that since international patrol of the Portuguese border had been suspended, she would on Tuesday, July 13, withdraw permission for neutral observers to check shipments over her Pyrenees border. Her own customs officials would, however, continue to enforce the embargo. No doubt if Germany and Italy con-

tinue openly to ship war supplies to Franco, this restriction will be lifted also, greatly to the advantage of the loyalists. . . . Great Britain announced a bold plan to end the Jewish-Arabian friction in Palestine by a partition of territory and an exchange of populations, retaining a mandate of her own which would include Jerusalem and a corridor to the sea. Zionists protested bitterly. . . . Inner circles in the British Foreign Office were reported to be nervous about an impending German coup in Austria.

IN Washington, debate proceeded on the Supreme Court issue. Some of the time taken by administration supporters was used to discuss the record of the Court and the logic of the proposal; the rest was occupied with charges that the President's opponents were seeking to split the Democratic Party and were disloyal to their pledges. The opposition in turn assumed the role of martyrs to a cause, and defied presidential lightning. Indications were that the Senate in this matter would scarcely serve the purpose of a deliberative body but would be the arena of a factional wrangle, delaying other necessary business in a fight for prestige, of which the country is destined to become heartily sick. . . . In Massillon, Ohio, the Republic Steel company applied the most modern strikebreaking technique by enlisting the aid of local officials to deputize a large force of vigilantes, who killed two strikers, wounded many others, smashed up the union hall, stole union records and arrested hundreds of active union men—all this in the interest of "law and order." . . . Hearings before the La Follette Civil Liberties Committee brought out testimony showing how Ford service men were instructed to use violence against union organizers, and did so. . . . President William Green of the A.F. of L. announced that the steel strike was lost, but Philip Murray of the SWOC retorted that it was in good condition, and Lewis called Green a traitor. . . . After the killing of strikers against the Aluminum Company at Alcoa, Tennessee, an agreement was made with the union, an A.F. of L. unit. . . . The CIO extended its organizing campaign to federal, state and local government employees, announcing that it would not be the policy of these unions to strike, and to the marine workers on all coasts. Officials of the longshoremen's union declined to join the new marine union.

SENATOR Burke of Nebraska, on the noblest of grounds, is opposing the President's proposal to reform the Supreme Court. Is he serving reactionary interests in doing so? Is he an advocate of the utilities and others who in the past have depended on the Court to block progressive legislation? Not he! Yet a letter was written by Mr. Homer H. Gruenther, Senator Burke's secretary, to the American Public Utilities Bureau, suggesting that the Bureau buy and mail large numbers of the Senate Judiciary Committee's adverse report on the bill. If the Bureau is interested, Mr. Gruenther writes, "we would be glad to assist in every way in supervising the purchase, stuffing and mailing of this report." Mr. John Bauer, director of the American Public Utilities Bureau, was surprised by the receipt of this letter. He sent it to *The New Republic*, with the comment that Mr. Gruenther got his wires crossed with regard to the Bureau, evidently believing it to be "a publicity and propaganda group for utility interests, rather than an organization of economists and other technical experts to assist municipalities and public groups in various kinds of utility investigations." It is apparent that a comprehensive plan has been worked out to reach public-utility groups and others with an interest in defeat of the bill. The matter is worth investigating. Are the utilities and their friends in Congress up to the same old game, exposed so thoroughly by the Federal Trade Commission some years ago?

WHETHER Amelia Earhart and her navigator are finally lost, as seems probable at this writing, or are rescued after much suffering on the part of everybody concerned and enormous expense, her attempt will have had one good result if it leads to the abandonment of all future flights of the same kind. It was not necessary for scientific purposes. There is no longer any occasion for daring individuals to prove that long-distance flights are possible. Still less is there any excuse for the admixture of publicity or commercial motives with stunts involving undue personal risk and daring. Another aviation event of the same week—the successful experimental crossing of the Atlantic in both directions by fully equipped and manned air liners, as the beginning of a long series of flights which will open the way for regular service, is far more flattering to the intelligence of mankind. We do not wish to quell the spirit of adventure; people will always want to do reckless things. But when they attempt stunts of this kind they should no longer be regarded as pioneers with any relation to the future of the air. Something more is to be said for the second trio of Soviet fliers who, as we write, are on their way from Moscow across the North Pole to this country, in search of a long-distance record. But even in this case the Soviet government would be more deserving of praise if it had made every possible preparation for safety on this course—including, naturally, the use of larger liners such as might be expected to make the flight regularly after a trial period.

W. R. Hearst is continuing the policy of retrenchment in which the first dramatic step was to suspend his favorite newspaper, *The New York American*. He has made an agreement with Frank Gannett, ultra-conservative publisher of some nineteen newspapers, most of them in New York State, altering the situation in Rochester and Albany. Hearst has suspended his Rochester enterprise entirely, and the citizens of that town may now choose between Mr. Gannett's *Democrat-and-Chronicle* in the morning field or his *Times-Union* at night. In Albany, Mr. Hearst gets the monopoly in the field of morning papers and Mr. Gannett in the afternoon. It is estimated that about 1,000 newspaper men and women have been thrown out of work in the two towns, with a faint chance of finding employment if they can move to some other community and practically none if they cannot. Mr. Hearst has again demonstrated that his reputation for "taking care of his own" refers only to his high-priced executives; the rank and file get only his cordial good wishes in their search for employment. Meanwhile, his application to the SEC for permission to float new debentures in the sum of \$35,500,000 is still awaiting action. The recent activities in New York, Rochester and Albany do not of course answer the objections that have been offered to the new flotation, objections not based upon the earning power of his empire as a whole, but upon its internal organization, or disorganization, into a crazy-quilt of companies whose relation to one another has no possible basis in reason.

FROM California come well substantiated reports of the brutal cruelty with which Tom Mooney is being treated. Mooney is in a serious condition from bleeding ulcers of the stomach; unless he is given special diet and the lightest possible physical exercise, he is likely to die. The treatment he has had in recent weeks suggests a deliberate attempt to bring his death about. For almost two years, he has been kept in the San Francisco county jail, pending decision on his petition for a writ of habeas corpus from the California Supreme Court. Early in June, his condition was so bad he was transferred to the hospital. The San Quentin authorities made repeated efforts to have him returned to the prison, although the doctors at the hospital said he was too ill to be moved. They at last consented to the change on condition that he be kept on a strictly limited diet and be given no hard labor. On June 17 he went back to prison. His diet was ignored, and he was given the 90-percent-starchy food of the other prisoners. He was put at heavy outdoor work under the blistering sun and required to walk several miles a day between his job and his cell. The cell, incidentally, had just been vacated by a man with syphilis and no attempt at sterilization had been made. After he fainted from this mistreatment, he was given indoor work, but no other amelioration of conditions. All the privileges he had earned by twenty years as a "model prisoner" have been suspended; he is re-

fused access to all his books and papers and his typewriter. Rumors are widely circulated in California that the state authorities, embarrassed by this innocent political prisoner's long fight for freedom, would welcome his death. San Quentin has a new warden; his name is Court Smith. We should be interested to know just exactly what his purposes are in relation to Tom Mooney.

THE annual report of the American Civil Liberties Union for the year ending June 1, 1937, gives on the whole an encouraging view of the status of the right to dissent in this country. Court decisions have been favorable in the Angelo Herndon and labor cases, no new repressive legislation of importance has been passed, and there are no new political prisoners. On the other hand, however, the forces seeking repression are active and voluble; the Red label is pasted on all kinds of progressive movements. Chief offenders are the American Legion, the Catholic Church, chambers of commerce, the DAR, Klan and Nazi agencies, and of course reactionary employers. Credit goes to the La Follette Civil Liberties Committee, Governor Murphy of Michigan, and to various courts and legislatures. Advance in freedom for birth control is noted. Lynchings were cut in half as compared with the previous year. We fear that the report for next year will not be so good, especially with regard to civil liberties in strikes. Local public officials are more and more surrendering to vigilante organizations, representing employers' interests, the power to kill and wound strikers, raid union halls, and arrest and harass active union men. The toll of deaths in strikes from gun wounds and barbarous beatings is rapidly rising; the victims of nearly all of these murders are strikers or strike sympathizers.

FROM time to time in recent months reports have come from Canada that the present government of Quebec Province was moving in a direction so conservative that it seemed to contain at least the seeds of fascism. These reports are confirmed and amplified in a dispatch the other day from the Quebec correspondent of The Times of London. The Duplessis government began by a sharp attack upon a group of trusts all, as it happens, controlled by English-speaking Canadians, which it charged with exploiting the French-Canadian workers and farmers. This attack was accompanied, in words reminiscent of Hitler's early days in Germany, by a disavowal of any sympathy with socialism or communism. The next move was in the direction of the corporate state. A law has been passed against "subversive movements"—which seems to cover broadly anything that can be defined as anti-Duplessis. Collective bargaining is to be supervised by the state, and is permitted only to "genuine" trade unions, the government to decide which these are. Small business men, French-speaking, are beginning to boycott their English competitors, just as the German Nazis have boycotted their Jewish rivals. The only hope

for a reversal of this movement seems to lie in the faint prospect of a return of the Liberals to power.

JOHN IRVING is dead and The New Republic office seems a different place this week. So far as recollection serves, he was our employee of longest service, having been engaged as chief office boy and general factotum when the plans for the magazine were still in a formative stage. When Volume I, Number I, came from the press, he proudly distributed freshly printed copies to every desk in the office, and he did the same with Volume LXXXI, Number 1180, last week's paper. There were very few weeks in the intervening twenty-three years when he had not performed this ritual service. His Irish ancestry showed itself in a brogue so thick as to be sometimes unintelligible and in a hot temper which was no respecter of persons and occasionally got him into difficulties with strangers, to say nothing of good hot scraps with the staff itself. What the strangers did not see was the fierce, unwavering loyalty to the organization that lay behind the gruffness, a loyalty that convinced him no one else could possibly do his work for him and kept him at his tasks even at times when almost anybody else would have gone home to bed. The longer we live, the more we realize the value of such loyalty; we shall miss John Irving.

IN the New Republic of June 23, we commented on the violation of civil liberties in Cairo, Illinois. We mentioned the fact that numbers of jobless men had been put to work strengthening the levees there during the recent flood on the Ohio River, that they had been taken off relief rolls because of this "employment" and had then, in many cases, not been paid for their labor because of a snarl in the red tape connected with the job. Through a typographical error as we went to press, we said the organization involved was the PWA. It was, of course, the WPA; the PWA does not engage in activity of this sort.

WE WERE given pause last week (not that we needed any pause given us, what with the hot wave and other things) by a piece of publicity issued by the producers of the motion picture called "Slim." This movie has to do with the life and loves of the men who string and maintain the country's high-powered electric-transmission lines. The publicity, solemnly issued and printed with equal solemnity in various places, was all about the dangers undergone by the male stars—Henry Fonda, Pat O'Brien and Stuart Erwin—while the picture was being filmed. It seems that they were in constant peril of being electrocuted or of falling off a high pole or even of first the one and then the other (choose your own order). True, the stars performed on dummy apparatus built on the lot; and true, again, any really dangerous feats were performed by doubles. Still and all, the press agent had a firm feeling that risk was run. There seems to be insanity going on in this country; either we're crazy, or else the mental deli-

quescence is on the part of the man who thought up this story, the additional man, if any, who wrote it, the executives who OK'd it, the editors and copy readers and proofreaders who consented to its publication and the print-gulping millions who swallowed it without even a temporary paralysis of the epiglottis. Are we crazy, or are they? Vote for one and send your ballot in care of the Old Gold Contest, now so happily defunct.

The Partition of Palestine

THE British Royal Commission that has been wrestling with the question of Palestine deserves credit for its courage, whatever else may be said of its findings. It proposes to solve the long standing conflict between Jew and Arab by nothing less than carving up the present British mandate into separate states.

The new Jewish country would consist of about one-third of the land area, while most of the rest would be turned over to the Arabs and linked with Transjordan. Jerusalem, Bethlehem, Nazareth and a corridor from Jerusalem to the sea would be placed under a separate and permanent British mandate. The Arab state would also have carefully safeguarded access to the sea. The two new Jewish and Arab states would be encouraged to apply for membership in the League of Nations. They would give pledges to respect the rights of minorities. Perhaps as many as a quarter of a million Arabs might be moved out of the new Jewish territory, and a small number of Jews also transferred. Existing financial and other obligations within the territory would be respected. The British government would help to finance the costly business of getting the new states under way.

That this is an awkward way out of the problem, the Royal Commissioners would be the first to admit. Their only argument is that they see no other way out, and the present conditions are intolerable. They now frankly admit what has so often been stated in unofficial quarters during the nineteen years since the end of the War: that the promises made to the Jews and to the Arabs while the conflict was in progress are mutually incompatible. Neither set of pledges has been carried out; it is doubtful whether either could have been without creating the most violent protest. As the Jewish population increased, through births and immigration, and as its economic and cultural activities were extended, conflict between the two racial groups has grown steadily more serious. Repeated and protracted riots have resulted in heavy loss of life.

Announcement of the new plan has produced immediate denunciation, in the strongest terms, from nearly all Arabian and Jewish groups. Criticism has been especially bitter from leaders of the Zionist movement in the United States, who have contributed so much, both financially and otherwise, to the creation of the Jewish National Home in

Palestine. These prompt denunciations were to be expected and perhaps should not be taken as the final word. The spokesmen for both Jews and Arabs are a little like lawyers in court who must claim everything, concede nothing, on behalf of their clients. It is quite possible that six months hence, they may look with a different eye on the plan which now seems to them so immoral and impracticable. On the other hand, it is also possible that six months hence, the Royal Commission's report may be just another interesting document in history's musty files.

Such precedents as we have from the past few decades for a proposal of this sort are mostly unfavorable to it. To be sure, one somewhat analogous scheme worked fairly well: the exchange of populations between Greece and Turkey after the war between those two countries. Everywhere else, the attempts so blithely made in Paris in 1919 to create new states and carve up old ones have left an ominous legacy. Nationalism that should have been abated has risen higher than ever. States reduced in size and power cherish the dream of revenge. The experiment with a corridor at Danzig is surely not of a type to suggest the wisdom of a repetition. The task of moving 250,000 persons from their homes and resettling them somewhere else, with extremely limited funds and an atmosphere of suspicion and hatred, is one before which even the most competent and devoted British civil servant might quail. Moreover, the whole Palestine situation lies in the shadow of vast international intrigue. Frequently in the recent past, Italy has been accused of seeking to stir up the Arabs against Great Britain, of seeking indeed to make the whole Mediterranean an Italian lake. France, Germany, the USSR all have interests, present or future, real or imaginary, in Asia Minor which might impinge fatally upon this whole plan.

The most serious of all problems in Palestine is poverty. The Jews have brought a comparatively higher standard of living and improved social services into a country where many of the Arabs toil for the lowest possible wage for the benefit of a little group of landlords and other exploiters, of their own race. To some degree, anti-Semitism among the fellaheen has been skillfully pumped up to divert their attention from a system against which they have a legitimate right to rebel, and to a certain extent, the same thing is true in the Jewish community. While there are some communal experiments on a socialized basis, there is also exploitation and subsequent unrest. It is a striking fact that the phrase "Jewish fascism" is so often heard, even if half-jokingly, in Palestine. If the British Royal Commission could have solved the problem of maldistribution of wealth in both the Jewish and Arab communities, there would have been no need for such heroic measures as have now been proposed. But magnificent common sense of this sort is perhaps hardly to be expected, and least of all from a Royal Commission.

Will Japan Force War?

WILL THERE be war in the Far East this time? It has been predicted intermittently now for several years, but each crisis has passed without formal and full hostilities. Alternately Japan was going to challenge Soviet Russia and China. But each time, the supposed opponent has withdrawn at the critical moment, or Japan herself has shown a sudden moderation when another step might have been irretrievable. There is no reason to suppose that on this occasion the result will be different, except that some time, if the friction caused by Japanese aggression continues, China or the Soviet Union will decide that the end of patience has come, or Japan herself will make war inevitable because she believes that a favorable moment has arrived.

Of course Japan would like to accomplish her aims without the strain of a complete war. Step by step she has penetrated as far as she dared at the moment, consolidating her gains behind her. First Manchuria, then Jehol and other northern provinces, then inner Mongolia, have fallen under her military influence. There is no assurance whatever that she has reached her goal. There are, to be sure, forces in the island empire that are afraid of the dangerous adventure and would like to give it up, but these forces were there even before the conquest of Manchukuo. Periodically they succumb to other forces whose ambition seems to be boundless, forces that ever since the War have been planning to bring all of eastern Asia under their hegemony. The expansionist elements now seem to have the upper hand.

The events of the past few weeks fall into a fairly definite pattern that seems to fit perfectly what has gone before. Japan was impressed by the internal troubles of the Soviet Union. This might be a favorable moment for another thrust forward. What, in fact, was the temper of Moscow? In order to test it, Japan raised a sharp issue about two islands in the Amur River, which forms the boundary between Manchukuo and Siberia. There was no reason in the world to raise this issue except to see how ready Moscow might be to fight. Moscow proved conciliatory and withdrew her forces.

It can hardly be a coincidence that only a few days later Japanese troops began to cause trouble in the neighborhood of Peiping, which is part of the next slice of the Chinese cheese that Tokyo wants to cut for herself. The Japanese army was already confident that the Soviet Union would not interfere or back China in resisting. What would Nanking do? This may be a second exploratory move, to find out China's plans. It would be reasonable to suppose that unless Chiang Kai-shek and his cohorts convince Japan that they mean business, we shall see the occupation and alienation from China of still another piece of territory. If, on the other hand, China is ready to risk war rather than surrender, the affair may now be adjusted without further conquest.

Of course the danger of war is never absent from

this game of bluff, whether carried on by Japan in the East or by Hitler and Mussolini in the West. The aggressor may some time underestimate the firmness of his adversary, or overestimate his patience. Or the victim, believing that a serious threat of resistance will stop his opponent without hostilities, may discover that the aggressor is too deeply involved to withdraw, and the threat will have to be made good. Certain it is that China has steadily become more united in the resolution to stop Japanese encroachments and better prepared to do so. The previous pattern might change, and war might come this time, either because China had at last had enough, or because Japan believed that eventually she would have, and it was better to precipitate hostilities when China was not yet fully ready and had little hope of allies.

"The Man I Love"

LAST Sunday night the word came over the radio that George Gershwin was dead at the age of thirty-eight, and almost everywhere in the country people must have stopped for a moment. They knew him well, for they had sung his songs. His first hit, his biggest if not his best, has been out more than seventeen years, and the phonograph trade alone on "Swanee" now reaches the three-million mark. As a matter of fact, George Gershwin was about the most widely known figure in American music (the tunes, the shows, the movies, the concert pieces, even an opera), and one of the most naturally American.

Born in Brooklyn, growing up with the little toughs in the streets of New York's East-side ghetto, going to school along Rivington Street, taking his piano lessons at the age of twelve like any other kid. Later becoming a song-plugger for Remick (in those days it meant demonstrating the line on the house piano or the pianos of night clubs) and getting the valuable connections necessary to putting over his music when he started composing. He did tunes and shows but was ambitious for more, and in 1923 wrote a "Rhapsody in Blue" that Paul Whiteman, with his inevitable and evergreen flair for featuring Whiteman, eventually featured and made his theme song. Along with the other heavier Gershwin works ("Concerto in F," "An American in Paris"), this showed a fund of musical ideas, a good deal of nervous heat and flash, a fresh charm. But its greatest significance for these times is that it has made the idea of jazz—as opposed to jazz itself, of course—acceptable to those who must get their music over a shirtfront and would otherwise be oblivious of anything in America that spoke without a thick accent to this day. ("When the highbrow meets the lowbrow, going the lowbrow way," etc.)

It is no slur on Gershwin to say that the man to make great music out of the native material, along this line he laid out, is still to come. For Gershwin did his best work in the field itself, writing songs

that are always with us. When you think back to the strange running sadness of "The Man I Love," or "Soon," and when you don't have to think back to "Somebody Loves Me" because Jack Teagarden (recently spoken of in these pages) recorded it again a year or so ago; or to "Lady Be Good," because it is still to be found in the books of the first bands after these eleven years, a true recording perennial as witness this same Teagarden with Nichols, Count Basie, the fine Red Norvo and wonderful Goodman trio, even the "quintette du Hot Club de France"—you don't have to think any farther.

George Gershwin was still writing hit tunes when he died, but the magic was on him most strongly in the early years, and it should be enough and plenty that the tunes of those days in the twenties still keep him among the first in the hearts of his countrymen in music. This is a book we may close and say, in the idiom of its best pages, So he's gone, and let him go, and God bless him. And if there is any requiem at all, it should be a glad one, playing tonight in the swinging phrases of, say, Benny Goodman's current arrangement of that title tune for "Lady Be Good."

An Unsolved Murder

NORMAN REDWOOD has now been dead for more than five months. As he drove up to his home in Teaneck, New Jersey, on the evening of February 19, he was shot down and killed instantly by four shots fired from an automobile. That morning Redwood's name had made the newspaper headlines because, as president of the striking union of "sandhogs" on the Ward's Island intercepting-sewer job, he had announced that the three hundred strikers would defy the court order to go back to work. The Rosoff Tunnel Corporation was building the sewer, and even though the strike meant a serious delay in the work, Samuel Rosoff, the famous subway builder, was confident that the job would be finished ahead of schedule. He had handled labor trouble before, and he warned Redwood (according to sworn affidavit) that no man had ever pulled a strike on him and "gotten away with it." The strike was pulled anyway.

As soon as news of Redwood's murder came, the Jersey police issued a warrant "for questioning" for Sam Rosoff and Joseph Fay, a union official. Rosoff, who was in Atlantic City when news of the murder reached him, slipped out of the grasp of the Jersey police by driving to Philadelphia at four o'clock in the morning and then to New York City via Port Jervis, carefully keeping the Delaware River between him and the law. In New York he was placed under technical arrest in the custody of his lawyer, to await extradition to New Jersey for questioning.

That was five months ago, but so far as progress in the case is concerned it might have been yesterday. The police have never succeeded in forcing Rosoff to New Jersey, and the case, checkmated by the absence of its key witness, remains unsolved.

The Redwood murder got a lot of attention in the press for about two weeks. A gun with its serial numbers partly filed off was found on the scene of the murder, amateur detectives were allowed to decipher the numbers, and for days the papers reported every move in the effort to trace the gun to its most recent owner. The comic extradition proceedings, which collapsed when New Jersey suddenly bogged down in its prosecution, caused a flurry of front-page excitement. But after a few weeks the case dwindled away into the obscurity of the back pages.

Then on May 25, new interest was aroused by the violent statement of Commissioner Valentine about the "disgusting" way in which the New Jersey authorities were handling the case. He said that the killers were known, that the gun had been traced to Atlantic City, and that he could not understand what was holding up the proceedings. John J. Breslin, the New Jersey prosecutor, denied that the evidence Valentine described was in his hands, and then again the story dwindled away.

It may be hard to maintain aroused public interest in the murder of one man, especially in times when mass murder is accepted with indifference by so many. But the Redwood case is a good deal more than simple murder committed for lust or in the course of ordinary crime. Redwood was the respected leader of a legal and important organization. His murder seems to be part of a vicious and, far worse, a successful attempt to smash the work of his union by violence. As long as the Redwood case remains unsolved and unpunished it throws two important institutions into a shady area of disrespect. First, of course, it makes one wonder about the competence and honesty of the New Jersey police authorities. Second, the press seems guilty of a failure to keep alive public opinion on an issue that might well be benefited by democratic pressure. The press can serve two functions: it can simply report the news of the day, or, in addition, it can crusade for informed public interest on important issues. The New York World was famous because it performed both these services—but no metropolitan paper today is carrying on its valuable tradition.

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How Liberal Is Justice Hughes?

FOLLOWING the great about-face by the Supreme Court, two pen pictures, both eulogistic, have been offered of Mr. Chief Justice Hughes, central figure in the Court's judicial drama of 1937. By one group of admirers he has been presented as a well poised liberal, choosing the proper moment to lead the Court into permanent harmony with a changed world of industry and finance. By another group, consisting chiefly of lawyers and Washington correspondents, he is praised as a master strategist who, modifying his own course and carrying Mr. Justice Roberts along with him, has cut the ground from under President Roosevelt's argument that the Court must be reorganized to attain this same harmony.

Those who offer the second interpretation do not seem to realize that their characterization of Mr. Hughes makes the powers of government more uncertain than ever. It places the balance of power in the Court in the hands of a Justice who stands ready to uphold or strike down laws to suit the exigencies of a combat between himself and the President of the United States.

More than ever before, unless Mr. Justice Van Devanter's retirement is followed by others, the Constitution in the immediate future will be what Mr. Chief Justice Hughes says it is. Assuming that a liberal is appointed to the vacancy now existing, the associate Justices will be balanced four to four, when uncoerced by outside pressure, with the Chief Justice as the "fifth man" in either group.

It is highly important, therefore, to find out what the principles of Mr. Chief Justice Hughes really are. If he has become a dependable liberal, evidence of dependability should appear in his record. If the Court's "flash of liberalism," as Assistant Attorney General Robert Jackson called its 1937 decisions, represents the political strategy of Mr. Hughes, a flair for strategy and opportunism should be discoverable.

The nomination of Mr. Hughes to be Chief Justice, it will be recalled, touched off a tremendous fire of opposition in the Senate. Such doughty liberals of the year 1930 as Senators Borah and Wheeler declared that President Hoover was putting the United States under an economic dictatorship of corporation lawyers. The regard of these two men for Mr. Hughes now approaches idolatry, and though the common tie appears to be anti-Rooseveltism, they defend him as a liberal.

The Chief Justice took his seat on February 24, 1930, and at once heard arguments in *Missouri v. Gehner*. By the decision, the presence of government bonds in the portfolio of an insurance company enabled it to escape taxation based on its net worth.

Mr. Hughes voted with the majority and invited Mr. Justice Butler to write the opinion. Stone, Holmes and Brandeis, dissenting, said that the decision opened "a new and hitherto-unsuspected field of operation" for the use of public securities in avoiding taxes, giving their owners "a privilege which is not justified by anything that has been decided or said by this court."

The next division in the Court occurred in May, 1930, in *Baldwin v. Missouri*. Again the Chief Justice joined the conservatives in striking down state taxation. This time he allowed Mr. Justice McReynolds to write the opinion. It was this case that brought from Mr. Chief Justice Holmes, dissenting with Brandeis and Stone, one of his most famous utterances:

I have not yet adequately expressed the more than anxiety I feel at the ever increasing scope given to the Fourteenth Amendment in cutting down what I believe to be the constitutional rights of the states. As the decisions now stand, I see hardly any limit but the sky to the invalidating of those rights if they happen to strike a majority of this court as for any reason undesirable. I cannot believe that the amendment was intended to give us carte blanche to embody our economic or moral beliefs in its prohibitions.

Immediately after this, Mr. Justice Roberts became a member of the Court. In the next three divided cases, Hughes and Roberts swung over to the liberal side and produced a majority. In the fourth divided decision, the Chief Justice joined the reactionaries in nullifying a Massachusetts tax, while Mr. Justice Roberts dissented with the three liberals.

From this point on, under the guiding hand of Mr. Chief Justice Hughes, the Court has swung in perilous unbalance between conservative and liberal control, presenting, in general, an excellent record on civil liberties, and tending, until the spring of 1937, toward increasing reaction in the struggle between clashing economic interests. Gradually, however, the thought has emerged that reactionary control of the Court has been due to Mr. Justice Roberts, and that the Chief Justice, except for occasional aberrations, has recognized the realities of the world he lives in.

If one tries to recall, casually, the outstanding work of Mr. Hughes during the past seven years, it comes to mind that he spoke valiantly for the government in the gold-clause cases; that he humanized the obligation of contracts in the Minnesota moratorium case and freed the Minnesota press from an infamous gag law; that he spoke for a unanimous court in striking down the NRA; had a minor part in destroying the AAA; upheld the TVA; voiced

the revived liberalism of the Court in reversing the minimum-wage decision, and finally led his comrades into new fields by sustaining the National Labor Relations Act and validating the social-security laws. The memory endures, too, of his vigorous dissent from the decisions denying citizenship to Messrs. MacIntosh and Bland because their patriotism did not meet jingoistic tests.

In contrast, who can recall offhand a single case in which an opinion by Mr. Chief Justice Hughes has been made the target of dissent by the heavy-hitting liberals of the Court? The war clubs of Holmes, Brandeis, Stone and Cardozo have fallen with bruising force upon McReynolds, Sutherland, Butler and Roberts, but when has the Chief Justice been seen to wince? Judged by the opinions he has written, Mr. Hughes enjoys by right the reputation he has won.

Now for the facts.

The Chief Justice of the United States Supreme Court, by virtue of his position, has the privilege of writing the opinion of the Court whenever he wishes to, provided he is with the majority. He also has the privilege of passing that duty along to one of his associates. During the past seven years, Mr. Chief Justice Hughes has pursued the following course:

- When the Court is liberal, and Mr. Hughes is one of the liberals, he writes more than his share of liberal opinions.

- When the Court is reactionary, and Mr. Hughes is one of the reactionaries, he practically never writes the reactionary opinion.

The result of this technique is amazing.

- Since Mr. Hughes went on the Court in 1930 he has formed part of a liberal majority in forty-three cases. In thirteen of these cases he has written the opinion of the Court.

- During this same period, Mr. Hughes formed part of a reactionary majority in fifty-one cases. In these cases he has written the opinion of the Court *just once*.

- There have also been fifteen cases in which the Court has gone reactionary and the Chief Justice has been one of the liberal dissenters. In these cases he has written seven liberal dissents.

In brief, when Charles Evans Hughes is a liberal, he proclaims it to the world. When he is reactionary, he votes silently and allows somebody else to be torn to pieces by the liberal dissenters.

In classifying decisions as liberal or reactionary, I have employed mathematics rather than my own opinion. The decision is called liberal when at least two of the four confirmed reactionaries dissent from it, and it is called reactionary when at least two of the three confirmed liberals dissent. This exaggerates the proportion of decisions classed as liberal, by requiring a smaller percentage of conservative than of liberal dissents to classify a case, and admits a few debatable cases, but it is better than a more restricted list to show the system followed by the

Chief Justice in writing or not writing opinions.¹ Cases with a single dissent or with mixed conservative-liberal dissents are omitted, as they seldom reveal a true cleavage.

The record is just as definite if one limits the inquiry to cases of sharpest cleavage, in which there were dissents by all of the four extreme conservatives, and all of the three liberals, who took part. The Chief Justice formed part of a liberal majority in twenty-four such cases, and spoke for the Court in eight of them. He formed part of a reactionary majority in thirty-seven such cases, and wrote just one opinion—the same one, of course, as in the other classification.

To understand why Mr. Hughes has written only one reactionary opinion for a divided court, it is only necessary to read that solitary opinion, and Mr. Justice Brandeis' dissent from it. The Chief Justice's experience in *Crowell v. Benson*, 285 U. S. 22, a maritime-injury case decided February 23, 1931, may be called the exception that proves the rule, confirming him in a system that even then was fully matured.

One may suspect, from the cruel and unusual punishment inflicted by Mr. Justice Brandeis, that the Chief Justice's technique had already been probed by the liberals, and they "gave him the works" when they got this one and only chance.

During the judicial year which began in October, 1930, Mr. Hughes voted with the reactionaries only once, letting Mr. Justice Van Devanter write the opinion. During this term he voted with the liberals nine times and wrote five liberal opinions, two of them in dissent.

Beginning in October, 1931, the Chief Justice formed part of a reactionary majority in thirteen consecutive divided cases, of which *Crowell v. Benson* was the eighth. Ten times altogether, and seven times in this term, he had voted with the reactionaries and assigned the opinion to somebody else. Then, in this important maritime-injury case, he gave the liberals the first and last chance they ever have had to deal with him in a dissenting opinion.

In this case, speaking for the Court, Mr. Hughes upheld the substantive features of the Longshoremen's and Harbor Workers' Compensation Act, then turned about to hamstring it with procedural restrictions. He declared that when Congress authorized an administrative agency to pass finally upon questions of fact, it ran up against the provision in the Constitution giving the federal courts jurisdiction in maritime law. If a constitutional question is involved, he said, the matter must be decided through evidence taken in open court. Congress, Mr. Hughes said with impressive finality, may not "substitute for constitutional courts in which the judicial power of the United States is vested, an administrative agency—in this case a single deputy

¹ The Chief Justice gets credit for eight liberal decisions and six liberal opinions in the gold-clause and Wagner Act cases, owing to multiplicity of suits, but two gold-clause suits in which there was a single opinion are treated as one case.

commissioner—for the final determination of the existence of the facts upon which the enforcement of the constitutional rights of the citizen depend. . . . That would be to sap the judicial power as it exists under the federal Constitution. . . .”

The Chief Justice launched into a long discussion of admiralty law, extolling it as a mighty branch of jurisprudence. Such small creatures as deputy commissioners, he held, could pass on facts “within the purview of the act”—that is, after it was determined that the compensation act applied to the case, but whether it did apply or not was to be determined, in case of challenge, by the constitutional courts on facts developed in open court.

The Hughes opinion was twenty-nine pages long. The dissenting opinion of Mr. Justice Brandeis was thirty pages long. Numbering his points, one, two, three, and up to eight, Brandeis coldly and mercilessly dissected the masterpiece of the Chief Justice.

To the majestic contention that the naming of admiralty law in the Constitution made it unconstitutional for Congress to provide any alternative to the system of determining facts in open court, Brandeis quietly replied that in admiralty suits, taking evidence in open court “was not required by the rules of this Court until 1921.”

To Mr. Hughes’s statement, made in behalf of the defendant, that the deputy commissioner was limited to developing facts “within the purview of the act,” Mr. Brandeis replied by enumerating ten possible defenses which this limitation destroyed.

The dissenting Justice went on, point by point, overlooking nothing, riddling everything with dispassionate analysis. The effect of the decision, he concluded, was to break down the administration of the act by “barren controversy over procedural rights and by delayed or thwarted determination of substantive ones.”

The Chief Justice got what he wanted out of *Crowell v. Benson*. He broke down, by destroying its administrative features, a law whose substantive features were unassailable. He set a precedent that is gradually being extended to paralyze government regulation of business through administrative law. He got what he wanted, but the price in personal discomfort was too high. Forty times, since February 23, 1932, Mr. Hughes has helped to create a reactionary majority on the Court, but *never once* has he spoken for that majority in the face of liberal dissents. Having power, as Chief Justice, to control the assignment of opinions, he has allowed other members of the reactionary group to stand up and “take it” from the court liberals and from the public at large.

Understanding of the Hughes technique explodes various theories regarding the Chief Justice. When he failed to exercise his right to speak for the Court in the AAA case, after having done so in the NRA decision, his silence led to a rumor that he really stood with the liberals, but had swung over to avoid the unfortunate appearance of a 5-to-4 division. In reality he ran true to form. The NRA decision was

unanimous; therefore he wrote the Court’s opinion. But when it came time to destroy the AAA, he let Mr. Justice Roberts accept the punishment inflicted by Mr. Justice Stone. The germ of the AAA verdict can be seen in dicta incorporated by the Chief Justice in his NRA opinion. The AAA decision was his baby, but he denied paternity.

This brings us to a variant in the Hughes method. The Chief Justice does not hesitate to write reactionary opinions in cases where the decision itself is unanimous. All that the liberals can do in such cases is announce that they concur in the result, or write a concurring opinion which in effect is a dissent. Such opinions may be infinitely more important than actual dissent, but they do not constitute a frontal attack on the majority spokesman and the Chief Justice disregards them with dignity.

In the *St. Joseph Stockyards* case in 1936, decided unanimously, Mr. Hughes wrote an opinion in which he used his previous argument in *Crowell v. Benson* to drive a few more spikes into administrative regulation of business. The liberal Justices, understanding this, challenged the whole line of precedents on which this decision was founded. But this was done in concurring opinions, to which the public pays no attention.

In the recent *Anniston* case, Mr. Chief Justice Hughes wrote an opinion upholding the law which forbids refund of processing taxes unless the claimant can prove the tax was not shifted to others. It passed without notice that the opinion, as distinguished from the decision, opened a gigantic loophole for refunds. The liberal Justices withheld concurrence from the opinion, but that meant nothing to the public.

A few people remember that Justices Cardozo and Stone concurred separately in the NRA case. But who has noticed that when Mr. Hughes led the Court to its liberal triumph in the Wagner labor cases, he abandoned the opinion he wrote about the Schechter brothers’ sick chickens and narrowed that case to the concurring opinion of Mr. Cardozo?

However, nobody should get the impression that Mr. Chief Justice Hughes objects, in the abstract, to being made the target of dissenting opinions. He revels in hostile criticism by Mr. Justice McReynolds, Butler or Sutherland. Mr. McReynolds has written sixteen dissents from the opinions of Mr. Hughes, each one of them strengthening the reputation of the Chief Justice as a liberal. One can only wonder what the reputation of Mr. Hughes would be if, in the fifty-one cases in which he helped to create a reactionary majority, he had exposed himself sixteen times to the dissenting logic of Mr. Justice Stone. Mr. Stone has written nineteen dissents in cases in which the Chief Justice formed part of the reactionary majority, but not once has he had an opportunity to analyze an opinion written by the Chief Justice himself.

It would far underrate the intelligence and overrate the modesty of Chief Justice Hughes to assume

that he has been guided by self-depreciation in refusing to write opinions from which there would be liberal dissents. His eagerness to speak for the liberals, when he is himself a liberal, shows that he does not place himself below their level in ability. Nor should it be assumed that his record merely furnishes a study in human vanity. The motive appears threefold:

1. The desire for public approbation.
2. The desire to wield power.
3. The desire to attain definite objectives.

Intellect, not emotion, produces that sense of discrimination which impels him to accept the shafts of the conservatives while avoiding those of the liberals. His understanding tells him (a) that it is easier, in logic, to defend a liberal than a reactionary position, or (b) that there is more glory in doing so. He recognizes, not the personal superiority of the liberal Justices in forensics, but the innate superiority of their arguments, or the superior appeal of those arguments to intelligent minds in the nation. Therefore, in voting reactionary but refusing to

write reactionary opinions, he helps commit the Court to policies which he recognizes to be indefensible from the standpoint of that public opinion whose approbation he covets.

While thus confessing the moral and rational superiority of the liberal position, the Chief Justice has joined in producing fifty-one out of the sixty-six reactionary decisions made by a divided court (two or more liberals dissenting), since he became a member. In a man with the intellectual equipment and forcefulness of Charles Evans Hughes, such adaptiveness cannot be charged to vacillation. In the too great perfection of his strategy Mr. Chief Justice Hughes has furnished the key to his inner convictions. The combination of voluble liberalism and silent conservatism is not unknown in politics, novel though it be on the bench. In one place as in the other, it may be set down to a compromise between expediency and desire, silence representing desire.

IRVING BRANT.

This is the first of two articles on Mr. Chief Justice Hughes. The second will appear in an early issue.—THE EDITORS.

WPA Is Cut

IT'S EASY to read the newspaper headlines "WPA CUT 30 PERCENT EFFECTIVE JULY 15" and miss the picture of human despair that the order involves. It's easy to listen with an uncritical mind to the propaganda about "boondoggling" and wasted money. They'll talk to you in percentages and dollars and tell you that any man who really wants a job can find one; that if we must keep these misfits alive at all, it would be cheaper to pay them straight relief. They'll tell you that the tasks the WPA is doing are made-up nonsense and that the men employed never really work. It's easy to believe because you've yourself seen a construction job under way and the people with shovels aren't using them and the people without shovels are just standing, resting. When the pink slips were handed out and there were sit-in strikes, riots and suicide threats, you may have thought that these were just newspaper stories or shiftless people who were willing to get shaken up a little on the chance they might keep their easy jobs. Well, you should visit the WPA as I have done.

The office of the Federal Theatre Project in the slick Chanin Building is as good an example as any. You could take any other one of the projects and get the same story; a man gets just as hungry whether he's an actor, musician, painter, writer or bricklayer. The only difference is, perhaps, that an actor keeps up his front until the last possible moment before going on relief. He will always say,

and he really thinks it, that there will be a part for him in the next show that is cast. He imagines that there is a manager around every corner who will be taken by his appearance and give him a part and a chance to pay back the money that he owes wherever he has been able to stretch out his credit.

To get a job with the Federal Theatre (top salary: \$23.80 per week) an actor has to be an accredited relief case, and that means that he has already hit the desperate bottom of his own estimation. The other day an old-time vaudeville artist with thirty years' experience on the stage came into the WPA office to borrow a couple of dollars to tide himself over until he got the part he had been "promised." He explained that he would have been all right, but he had just met Tom Pringle on the street and given him his last fiver because Pringle hadn't eaten in twenty-four hours. That same afternoon Pringle himself appeared and got talking about the state of the theatre. "You know," he said, "I don't remember a season as bad as this one. There are fewer and fewer plays every year. I've heard that there are actors in New York who are actually hungry!"

When the order came to make the 30-percent cut, the project was employing about 4,130 people. The project had already been crippled long before the July 15 cut came, personnel had been whittled down to bare essentials (which meant down to people who didn't have a definite part in productions under way) and of course there wasn't

a thought in anyone's mind of letting the standard of performance slip. Additional 30-percent cuts meant dropping 1,709 persons in New York City alone, yet the shows were to go on wherever it was humanly possible.

Some units were so small that even a 20-percent cut would have been fatal. When five people are staging, directing and acting a show all by themselves you just can't cut anybody out. In Texas, Rhode Island, Delaware and Nebraska the projects were killed off completely by the July 15 cut. In other states where the personnel was small and a full 30-percent cut would have been fatal, the projects were cut to the bone but kept going and the burden of the extra 5 or 6 percent shifted to New York. That meant that in New York the heaviest burden fell on the service department; on people with executive jobs like play-reading, deciding on policy and handling rentals and contracts.

Somehow the plight of these people is the hardest to take. Almost without exception they have had long theatrical experience; despite what you may hear, more than 95-percent of the actors and directors on the Federal Theatre are professionals, many of them with experience records much longer than your memory. They may not be top-flight people, but the chances are that they have been, and that they have been in the big money. They are not the best, but they have the tradition and pride in their profession that every creative artist must have.

While I was there, a delegation of four came in to see the personnel director about their pink slips. Their story will, in all probability, not make the evening papers, but it had more news value than all the sit-ins and riots put together. They had all been at work, they said, directing WPA units, just before the cuts had come. Their spokesman outlined the record of each of the other three before the days of the Federal Theatre. "Mr. Burns," he would say, "has been one of Broadway's most successful producers for thirty-five years. He has put on over a hundred of the biggest shows, I guess in fact *the* biggest show—wasn't it, Mr. Burns?—that the theatre has ever seen. There has been nothing wrong with his work." All the while Mr. Burns, white-haired, carefully dressed in black, sat looking out of the window, a little hot, a little nervous, clearly sick at heart that he should have to beg that his charity job be given back.

There is nothing the personnel manager can say. There was nothing the matter with Mr. Burns's work. It was simply his hard luck to be under the blade of the axe when it fell. The cuts were made without any consideration of need or ability; the office is frank to admit it. There was sickening unfairness on this account, but there is no way of sending 1,700 men to the bread-line without unfairness. The project was a work as well as a relief job. There wasn't time to consider how many people are dependent upon Mr. Burns's \$23 for their lives, or to consider the long list of successful shows he had managed. There was only the cold percentage that

had to be met, and now there is Mr. Burns, dignified and gentle, looking out of the window and surely knowing that he hasn't a ghost of a chance of finding a job here or anywhere else.

You can go on reading the case histories and hearing the appeals for a reconsideration until your heart breaks. It doesn't matter which one you pick, because every one of them shouts out its slow story of insecurity and poverty and hunger, then a few months at one's chosen work and a wage that is at least above the starvation level, and then everything cut short with a pink slip. Take this case:

Thomas Brainerd, fifty-six, twenty-two years of newspaper experience on metropolitan dailies, ending in 1931. Four published novels. Worked for five months on the Guide Book for Massachusetts at \$21 a week. Before the WPA job he had been living in the subway for three weeks. In all probability he will be on the Bowery or back in the subway within a week or two of his dismissal, because there is no chance of his finding private employment.

The Writers' Project in New York is cut to 393, and an additional cut will be necessary before September 15. There are 1,600 applications for jobs now on file.

Herbert Winfield, fifty, actor with thirty-three years' experience in stock and on Broadway. Was forced to quit the Living Newspaper cast because of tuberculosis, but his wife, Ida, of Austrian birth, was given a part in substitution for him (not more than one member of any family is allowed to hold a WPA job. Circus and vaudeville acts, in which two or three members of the same family have to appear because the act demands it, are paid \$23 nevertheless, and only one name is entered on the books.) When the cut came Ida Winfield got her pink slip because her slight Austrian accent made her less adaptable to average parts. She appealed for a rehearing and said: "I have been saving our money to send my husband to Colorado for his health; now I am unable even to buy him the milk he needs in New York City."

Actors, on the average, had been completely out of work for a year when the Federal Theatre rescued them. Before that they had had "partial employment"—which means about two weeks a year—for the past five years. Because of malnutrition and the diseases that come from malnutrition, it is often impossible to cast them in the kinds of roles they have been best able to play in the past. You can't make a tycoon in the butter business out of a man whose ribs are showing. You can't expect real acting from a woman who has lost her self-possession in ordinary life. It takes several weeks of regular eating before an actor can project himself into the personality of his characterization.

Or take this one:

Joseph Weston, forty, painter, taken from the relief lists after five years of unemployment and put to work making posters in the Art Project. The weather was hot and the rest of the office in shirt-sleeves, but Weston persisted in wearing his overcoat at work.

When the project director, after a few days, asked Weston if he didn't want to take off his hot overcoat, the artist smiled, removed the coat. There was no seat in his trousers.

Well, some of them are a little funny, like that one, and some are nothing but heartbreak. When you come to a funny one, you laugh just for the relief it gives you, and the next minute you are ashamed because an artist with no seat in his pants is tragedy that only shams the comic.

They have no hope that the cut order will be reversed. The strikes and protests, the rumor of a hunger march to Washington are gestures to maintain the status quo, to keep the WPA alive in just its present crippled form. There is more despair than anger; Washington seems a million miles away and the sidewalk outside the Chanin Building is hellishly hot. There isn't much to do but go back on relief—if you're lucky—and think about the politicians in Washington who cut the WPA because it was an easy way of soothing the congressional fever for economy. Cut the appropriation for relief, cut the personnel of the WPA, talk glibly about the ill nourished, ill housed and ill clad and how they must be helped, and then knock them down. They don't control any vote that matters.

That's what is so hard to understand. All this caused by a blundering Congress pushing economy (and that when we are just beginning to be able to afford the WPA), failing to realize that to economize means to spend to the best advantage, smashing the lives of thousands of men like Mr. Burns or Thomas Brainerd because it's the path of least resistance. And it occurs to you that even with a healthy, full-strength WPA there are plenty who would still be suffering, partly the physical pain of poverty and partly the pain of what it does to morale, to the chances of doing good work. That's the real point. Cutting the WPA is bad enough, but what of the civilization that lets these things happen in the first place?

BRUCE BLIVEN JR.

Terrorism in Gadsden

IN THIS town, when there's a fight between the Smiths and the Joneses, they deputize the Smiths and keep the Joneses waiting in their backyards." This was the remark of one of the thirty-odd witnesses before a committee of clergymen, educators and writers who had been invited by the Law and Order Committee of the Gadsden Central Labor Union to investigate charged violations of civil rights in Republic Steel's town, Goodyear Tires' town, Dwight Manufacturing's town, but no longer, apparently, the people's town.

The workers who, with their families, represent the majority of the 40,000 residents of Gadsden do not expect protection from the police. As matter of routine, they may ask for protection but, if the situation involves threats by steel, rubber or textile thugs, their testimony revealed—they don't get it. The

men and women who testified to undergoing or witnessing savage beatings, who saw deliberately planned manhunts directed against union members, manhunts with machine guns in cars, instead of bloodhounds, are not broken in spirit. Some of the ones who know they are marked are scared; but not one of them is scared enough to drop out of the fight. Many of the witnesses were heard in private, at their own request. The hall was continuously watched by company gunmen who knew who went in and who went out and shadowed their coming and going. Workers in Gadsden know these men, their names, their records and their Storm Trooper capacities; the workers know how easily these men become deputized; the workers know of their immunity to prosecution.

By now the three ministers—A. M. Freeman, Stewart Meacham and Charles Houk—Professor H. C. Nixon, Joseph Gelders, Maxwell Stewart, Frank Palmer and the writer, who composed the committee, can recognize a number of those company gunmen, too. In cars and on foot, they shadowed us. They were with us everywhere we went; but so was a guard of union men who had no weapons except their knowledge and their numbers and their muscle. Present in the Central Labor Union hall where the hearings were conducted were usually from fifty to seventy-five men and women with a few more on the street. The one door was kept locked and its guard pulled aside the cover of the peephole before permitting anyone to enter.

Out of a large number of applicants, four stenographers had been engaged to record the evidence. After the first few hours, the two women from Birmingham slipped away and never came back. The two from Gadsden stuck it out but they had to be nursed along. What they heard was not encouraging: assaults on the main street, in the courthouse, on company property, on private front porches, in the shadow of a church. When a photographer wanted to take a picture of the hearing, it was no surprise that it should require fifteen minutes to find a witness willing to be in the picture.

The city officials, who did not respond to our solicitations for meetings to hear their side of the picture, did, however, issue a condemnatory statement about us that could have provoked the law-abiding community they said didn't want us. But the only persons who might have attacked us were ruffians in the employ of industrialists who do not live in the community, and when they decided, or were told, to let us alone, there was no one left who objected to us. "The committee came here upon our invitation," said the president of the Central Labor Union. "We feel that organized labor is part of the city of Gadsden in spite of what the City Commission has said."

I can't talk officially for the committee, since its findings have not yet been formulated. As for myself, I'm prejudiced now, in favor of organized labor getting back its part of the city of Gadsden.

LEANE ZUGSMITH.

Volunteer in Spain

III: University City

This is the third and final excerpt from John Sommerfield's book, which is soon to be published by Alfred A. Knopf. In earlier chapters Sommerfield tells of his leaving an English university to join the International Brigade, describes the struggle in which the Brigade turned back Franco's fascists when they seemed almost certain to enter Madrid and gives details of the counter-attack by the loyalists that carried them into University City. In the present instalment Sommerfield's company—minus its captain, Freddie, who has been killed—is waiting behind the lines, hoping to be sent to a rest camp.—THE EDITORS.

Return to University City.—We all were quiet that morning and sulky. We learned for the first time that since we had been withdrawn the fascists had taken our old positions, crossed the river and broken through into the University City. There wasn't going to be any rest camp for us. We had to take the Philosophy building that day.

We had a quick meeting and elected Joe to take command; it had to be done briskly because the attack would start soon. He wasn't any good at making speeches, but he mumbled something about revenging Freddie, and we all felt good to be going into action.

It was familiar country and Joe did his stuff well. We made a lovely attack; coming up the little valleys, along sunken tracks, behind the hills, then advancing suddenly, all together, spread out far afrent but keeping good liaison. We knew every inch of the ground and 'all the good cover. There were few losses. It was the finest attack I had ever seen. Our section went for their communication lines, and numbers 2, 3 and 4 companies went up toward the Philosophy building. By the evening they had got into it, and we heard that they had chased the Falangists from floor to floor with fixed bayonets and had knocked hell out of them, and we were glad.

We moved up in the darkness, making a wide detour across country and through woods. Durutti's men were down on the Madrid front, and some were with us, and companies of Asturian miners with their dynamite—grand, tough, cheerful little men. The night was loud with bursting hand grenades: the dynamite exploded with an odd, flat noise. In the distance a house burned fiercely, silhouetting the great cubical outlines of the university buildings and throwing a dangerous light on our faces.

We saw the Philosophy building then, lit by reflected flames and moonlight, our first glimpse since we had left it to go down into the Casa del Campo;

the light shone through shellholes in the walls, from the window the shattered sunblinds hung drunkenly awry, a wrecked car sprawled in the drive, and there were great holes in the ground full of water.

We entered through the metal doors, which were pitted with bullet marks. Within it was completely dark, and we were lost, stumbling upon wreckage and broken glass and guided by the sound of crunching feet we felt our way down a corridor, a door opened and we entered.

In the big room a single candle burned, its dim wavering light dazzling to our eyes. Underfoot was a thick, soft carpet; heavy silk curtains, half torn-down, sagged from the barricaded windows. Down the center of the room ran a long table of rich gleaming wood: bottles, broken glasses, plates, grapestalks, cigar ends, were strewn upon it; chairs were overturned, cigar and cigarette ends scattered on the floor. For a moment we grasped the richness and the confusion, the startled disorder of the room, and then the candle was put out and we were lost in darkness again, waiting, hearing the sounds of fighting outside. We slept a little, were roused, and went on.

The Fighting in the Buildings.—Shells were falling now, and there was much shooting. We ran between buildings, and came to the huge red-brick cubes of the Medical School. One by one we darted across the open space and charged up the steps of the main entrance.

Machine guns stood by the doors, and there were sandbag barricades. The tiled floor was thick with dirt and brickdust. We sat around and waited for orders. Fredo came in, his head done up in a bloody bandage, his face very pale and picturesquely good-looking. We gave him some aspirin, and he told us to wait for a while. We lay on sandbags and sang. Everyone felt cheerful and we sang for half an hour, until they brought in some of the wounded. They brought a Frenchman from our section, on a stretcher, and laid him down and covered him with blankets; he was quite still, hardly breathing; the doctor said that he ought to be trephined, and they had not the means and it was impossible to get him away. We sat and watched him die.

Then Fredo came back and picked out the good shots from among us and sent us upstairs. Long corridors ran in echoing perspectives, dead elevators waited; at the end of passages were ruined rooms. We came to a high-up room with big windows; this was our position. A few hundred yards away was the Casa Velasquez, whose riddled baroque turrets

still pointed at the raining sky. The Falangists were there, and we were to watch and snipe.

We found brooms and swept away the broken glass and rubble, barricaded the windows, arranged our gun positions and the order of watching. Every now and then bullets came in and ricocheted wildly between the walls.

Here we stayed, and settled down to a new routine. We explored the whole great building, finding many things of use in places from which men had fled surprised. I got myself a fine officer's tunic, very warm and with big pockets; also a pair of good khaki trousers that were torn but could be easily mended, a new blanket, better than my old one. Also I found some bottles of decent wine, onions, garlic, a sack of rice, pencils, a cigarette case. Everyone searched, but Joe and I were the quickest and found the best things; we found oil and tools for the guns, and there were many other things that we would have liked but could not take with us. Men had been working on the building when the fighting began, many rooms had not yet been completed, and tools and materials were scattered everywhere.

This decay and ruin had not the pleasant mournfulness of old buildings; this destruction, this crumbling, this wreckage of new unfinished places had a strange, unnatural sadness of its own. Everywhere, replacing the gentle dust of slow decay, was a coarse brittle rubble of broken glass and plaster and brick that lay over everything; our feet sounded harsh crunching cadences along the corridors.

I learned a new disgust with war in the unfinished laboratories wrecked by shells, in the work of many craftsmen smashed senselessly before it had ever been used; I saw delicate scientific instruments crushed under fallen bricks, I saw rain beating in through ruined ceilings upon lecture rooms and libraries, I saw indices and notebooks and specimens strewn among shattered furniture, microscope slides on broken floors, the splintered glass starred like crazy paving. All this was wasted, all this would have to be built up again; and the students—they were wasted too, all gone, mostly fighting, and those who survived would have to begin again and it would be hard for them.

As I retraced my steps the melancholy crunch of debris underfoot, the grating tinkle of broken glass that brushed the feet like fallen leaves in woods seemed the very sound of this quick, new decay that had set in; this harsh rustling, echoing down empty corridors under the heavy boots of soldiers, was the note for all my memories of the University City.

The Nature of Death.—We were shelled, but not much, and not very accurately. Some hit the building, but it was so huge and so strongly built that little damage was done. Only, sometimes, you went down a corridor and came upon a great hole in the floor and ceiling through which had poured a cascade of bricks and plaster, or you found a room that yesterday was whole and now was wrecked.

I found a big armchair and put it behind my loophole, sat for hours with feet up against the wall, rifle on shoulder, sniping. Sometimes there was a movement behind a window across the way, sometimes a figure ran across an open space, and I fired. They tried to attack with tanks, but they were driven back; the little figures ran and tumbled and lay still. That was mostly how you killed men in a war; there was a movement and you fired and the movement stopped: you felt a momentary thrill of accomplishment, but it was impersonal, clay-pigeon shooting; you did not think that you were making widows and orphans, robbing mothers of their children. You fired at something dark and moving, and if you hit it, you felt "good shot." At other times you fired and killed because they were coming at you, and it was you or they, but it was still impersonal, and if you advanced later and saw the corpses, they were dead men and anything might have killed them.

Personal Adventure.—The night we moved I had the biggest fright of my life. After dark we lay down to sleep and were roused by an order to stand by ready to go. Scuffling about in the darkness we hurriedly got our kit together. A disembodied voice echoed down the corridor saying that we would have to wait some. Hell, I thought, knowing that might mean all night, and being very sleepy, I curled up in my armchair, kit all slung about me, and dozed off.

I woke suddenly, thinking it was my turn to go on sentry. There was almost complete silence. I looked at my watch, and it was just after twelve. So we hadn't gone after all, I thought, wondering why John hadn't called me, as I was supposed to relieve him at midnight. The silence was uncanny, no one breathed. I got up to look for John, stumbled over Joe's mattress, and found that there was no one on it. I stopped dead, listening, and heard nothing, nothing at all, not a breath, not a whisper of life. Complete silence surrounded me. I was alone.

For a moment I was terrified. The building had been abandoned, and I was left. Whether there had been an advance or a retreat I didn't know, and putting it to the test would be very difficult. It was hopeless trying to get out in the darkness because I didn't know which buildings were in our hands and which were not, and anyway I was just as liable to be shot by our own people as by the fascists. I stood there thinking all this and a lot more, and feeling like nothing at all.

Anyway, I thought, pulling myself together, there was no point in staying here. Best thing to do was to explore. If the fascists were in the place I'd have a better chance in the dark. So I cocked my rifle, and took out my pretty little automatic, which might be quite handy at close range. Then I began to creep downstairs. Going quite silently, and listening after each step, it took me about half an hour to get to the main entrance. There was no one in the hall, no sentries at the doors, no machine guns as I looked out; the night was dark, wet and silent. The war seemed to have packed up.

I stood about a bit, thinking about one thing and another, and then I heard a sound. It came from the basement. I went to investigate it. Looking down the stairs I saw a faint gleam of light, heard voices. I thought I might as well get the agony over quickly, so down I went. Somewhere there was a conversation going on, a low continuous mumbling. I listened. "*Merde, alors,*" I heard, mumble mumble mumble, *merde, alors,* mumble mumble, *merde.* . . . That was all right. I sighed deeply, wiped some sweat off my brow, put my automatic back in its holster (the only time I fired it in this war was to test my steel helmet), lit a cigarette and walked in.

Beside a wood fire in a long low cellarlike room lit by two candles stuck in bottles, sat the French doctor with the beard talking to a chap. Men slept round on the floor, on straw. It looked lovely to me; it was safe, it was warm.

Interlude and Resumption.—Our company was made up to strength again from the newly formed Thirteenth Brigade, mostly young Belgians, nice chaps. We had fun playing the old soldier to them.

When we next came back to University City we were put into the Philosophy building. We built barricades with volumes of Indian metaphysics and early nineteenth-century German philosophy; they were quite bullet-proof. On the floor of our room we spread carpets; we found a clock and a barometer and hung them on the wall; some tourist "come to sunny Spain" posters were found, and one put up as a mockery to the climate. Life here was quiet, orderly. On clear mornings, about eleven o'clock, we were bombed. A few shells came over late in the afternoons; the rest of the time we sniped, read, talked, studied Spanish, or dug trenches. Sometimes there were night attacks, and skirmishes between patrols. Down in the valley we often heard big fighting, but nothing much happened here.

We explored the library; in the great reading room anti-tank guns stood on the tables; the valuable books and manuscripts had been taken away, but there was plenty to interest us; a set of Everyman classics was discovered and borne away to our room. On a cold morning I found De Quincey's *Lake Poets* and rolled myself up in a carpet and read voraciously; the day passed in a stupor, I was with Wordsworth and Coleridge, in another place, another time. Twice we shelled the buildings opposite and twice I took leave of my book to shoot at the Falangists, who popped out like rabbits when the shells burst. All the afternoon I read, and was on the last chapter when I heard an appalling crash and looked up and the room was thick with dust and smoke in which figures moved confusedly. Steve lurched forward, supported by two men; the call for the stretcher bearers went echoing down the corridors; John's head was bleeding swiftly, Steve held his nose and swore. Where the sunny Spain poster had been was a hole. The shell had exploded in the middle of the room, under Mackenzie's chair, by the radiator; the chair was in fragments, the radia-

tor twisted wreckage, Louisa, our old Lewis gun, was broken up; but Mac sprawled unhurt on the floor, his pipe still in his mouth, a surprised expression on his face as he stared at the shell cap. Where Joe had been standing the wall was riddled with shrapnel. The only one badly hurt was Steve, who was knocked about by flying bricks. Both Joe and John went off bleeding profusely; they came back two days later, their pockets full of oranges, and with stories of the fine meals they had eaten. John's head was done up in a big bandage, and he looked the complete wounded hero. Joe, who was more badly hurt, had his nose plastered up, and merely looked funny.

I never have been quite sure why we were kept in the Philosophy building all that week. Opposite was the mouth of a little ravine, and the story was that it was through there that the fascists would have to come to attack; a few did come out one night, but we drove them back after about an hour's shooting. In my opinion the only thing we did that week to earn our keep was one afternoon when we put a fascist machine gun out of action. John and I were playing chess, Mackenzie and Pat were keeping the lookout, the rest were away digging trenches. In the next room were some artillerymen observing things with interesting instruments. John brought up his knight, threatening an exchange of queens that was not to my advantage at all, the situation was tense. I smoked and thought, and after a while I began to see light. Then a sudden shower of machine-gun bullets came buzzing through the windows above the top of the barricades; they sang through the room and ricocheted wildly. We were furious. The gun sounded very near, I couldn't imagine where they were firing from. But Mackenzie ran into the next room and borrowed the observers' instrument; by a piece of luck he spotted it immediately. Near the mouth of the ravine was a deserted car, and somehow they had managed to bring their gun up and fix it inside. Normally it would have been impossible to have seen them. Mac, who was our best shot, trained the Lewis on it, and the rest of us aimed our rifles with the utmost care. When the next burst of fire came we let them have it. I don't know if they were all killed, but the gun never fired again.

Before we left, steel helmets were issued all around, also gas masks, new underclothes, khaki breeches and some jam. Everyone agreed that it meant the worst. On the last morning there was butter for breakfast. A big offensive was indicated.

That night we left. Now we had new guns, Russian, Maxim type, on wheels. We cared a lot for them, they were the best guns you could imagine. We drew them after us down the corridors and they rumbled over the debris like carts on cobblestones. The entrance hall was packed with men, the relief coming up and us going, and it was dark and there was confusion. Then we came out into the open and marched a little way to where the trucks were waiting. A few dead, damp Falangists sprawled in the

moonlight. Down in the Casa del Campo there was a continuous uproar of bursting hand grenades, machine-gun fire and light artillery. Very flares went up and then the big guns started. Our comfortable interlude was over.

War Picture.—Rain was falling, a thin, cold drizzle, and on the pavements the women covered their heads with their black shawls. It was curious to march through streets, to march in daylight and see ordinary people walking about.

Gradually the streets became emptier, traffic ceased. We were entering a strange territory. Farther on was the war—soldiers, an open space, and then more soldiers, with death in between. We had left the normal life of the town behind. Here was something in between the two, partaking of both, yet with a strange character of its own. Blocks of flats, half-gutted by shells, were still tenanted. Within bullet range men and women ate meals, washed their faces, lay down to sleep at night.

We came to a broad straight avenue, tree-bordered, with tall blocks of apartment houses at either side. Many of the trees were uprooted or broken, lampposts leaned drunkenly and sprawled across pavements; shell holes in the road were full of water; the litter of smashed buildings was everywhere. But little cafés and shops still seemed to be carrying on some kind of miserable hunted existence; women went by carrying home for their fires wood gleaned from the wreckage of a neighbor's house. There was something both horrible and pitiful in the way these people clung to their homes in this desolate region.

At the end of the avenue was a crossroads, an open space, a triangular patch of ground stuck with ruined trees. On two sides were big barricades made of cobblestones, with machine guns set up beside them.

We halted. The wide roads were littered with broken glass and branches of trees, scattered bricks, cartridge cases, wet, shapeless, burnt objects; from a burst water main a stream gushed noisily upwards at the raining sky. Tall houses exhibited gaping wounds through which showed smashed furniture; rooms ripped in half exposed the melancholy relics of murdered homes. Bullets plopped intermittently against bricks, every wall was pitted with their marks.

By the barricade stood militiamen, cloaked in soaked blankets. An indescribably horrible air of desolation brooded over everything. It was quiet now, the fighting almost over.

By the open space lay two dead fascists, one in the gutter, his head smashed open against the curbstone, the brains slopping out. A big, lean dog with a famished look came up to the corpse, sniffed, and began to lap at the mess of brains. One of the guards drew his automatic and put three bullets into the dog. It lay coughing over the corpse, not yet dead. The guard ran forward, his head held down, and finished the dog off with his rifle butt.

He stopped when he passed us, looked apologetic, and said in bad French, "It has to be done. They get the taste for human flesh. It is bad. . . ." His keen Spanish face, edged with black beard, smiled deprecatingly. Sure, we said. We understood. And he looked relieved and went back to his post.

And we stood there waiting, steel-helmeted, hung about with arms and ammunition, gas masks dangling on our chests, a hundred and forty soldiers, the machine-gun company of the Marty Battalion of the International Brigade; and the rain came down, the broken water main gushed continuously, the tall buildings gaped their wounds, and from the corpse in the gutter the blood and brains washed slowly away, mingling with those of the dead dog.

It was as good a war picture as I could think of.

JOHN SOMMERFIELD.

Full Moon at Thierz

Before the Storming of Huesca

I

The past, a glacier, gripped the mountain wall,
And time was inches, dark was all.
But here it scales the end of the range,
The dialectic's point of change,
Crashes in light and minutes to its fall.

Time present is a cataract whose force
Breaks down the banks even at its source,
And history forming in our hands
Not plasticine but roaring sands,
Yet we must swing it to its final course.

The intersecting lines that cross both ways,
Time future, has no image in space,
Crooked as the road that we must tread,
Straight as our bullets fly ahead.
We are the future. The last fight let us face.

II

Where in the fields by Huesca the full moon
Throws shadows clear as daylight's, soon
The innocence of this quiet plain
Will fade in sweat and blood, in pain,
As our decisive hold is lost or won.

All round, the barren hills of Aragon
Announce our testing has begun.
Here what the Seventh Congress said,
If true, if false, if live or dead,
Speaks in the Oviedo mausers' tone.

Three years ago Dimitrov fought alone
And we stood taller when he won.
But now the Leipzig dragon's teeth
Sprout strong and handsome against death,
And here an army fights where there was one.

We studied well how to begin this fight.
Our Maurice Thorez held the light.

But now by Monte Aragon
We plunge into the dark alone,
Earth's newest planet wheeling through the night.

III

Though Communism was my waking time
Always before the lights of home
Shone clear and steady and full in view—
Here, if you fail, there's help for you—
Now, with my party, I stand quite alone.

Then let my private battle with my nerves,
The fear of pain whose pain survives,
The love that tears me by the roots,
The loneliness that claws my guts,
Fuse in the welded front our fight preserves.

O be as invincible as the strong sun,
Hard as the metal of my gun,
O let the mounting tempo of the train
Sweep where my footsteps slipped in vain,
October in the rhythm of its run.

IV

Now the same night falls over Germany
And the impartial beauty of the stars
Lights from the unfeeling sky
Oranienburg and freedom's crooked scars.
We can do nothing to ease that pain
But prove the agony was not in vain.

England is silent under the same moon,
From Clydeside to the gutted pits of Wales.
The innocent mask conceals that soon
Here too our freedom's swaying in the scales.
O understand before too late
Freedom was never held without a fight.

Freedom is an easily spoken word
But facts are stubborn things. Here, too, in Spain
Our fight's not won till the workers of all the world
Stand by our guard on Huesca's plain,
Swear that our dead fought not in vain,
Raise the red flag triumphantly
For communism and for liberty.

JOHN CORNFORD.¹

¹ John Cornford, who was killed in action at Cordoba, Spain, on the day after his twenty-first birthday, commanded an English-speaking unit of the International Brigade. He was first wounded in the head and sent to a hospital behind the lines, but within twenty-four hours he insisted upon returning to the front. When his unit was attacked by an overwhelming force and was in danger of being surrounded, he ordered his men to retreat. With a white bandage around his head that made him all the more conspicuous, he stayed behind with a machine gun to cover the retreat. Cornford was regarded as one of the most brilliant student leaders ever to attend Cambridge University. He organized a united front between Communists and Socialists and edited *The Student Vanguard*. His father is a professor at Cambridge and his mother, a granddaughter of Charles Darwin, is a poet. Cornford was an intimate friend of and fought side by side with John Sommerfield.
—THE EDITORS.

Washington Notes

The President Surprises on the Steel Strike—The Court Fight Continues—Labor's Non-Partisan League Heads a Ticket

LAST WEEK brought clear evidence of strain in the relations between Mr. Roosevelt and Mr. Lewis. The genuine New Dealers in the administration and in Congress found themselves faced with an immensely difficult choice. They were unwilling to admit even to themselves that Mr. Roosevelt had ratted out on Mr. Lewis; neither could they admit that Mr. Lewis deserved to have—in Mr. Roosevelt's words—a plague put upon him. The result was that New Dealers, or such of them as I was able to talk with, moved around Washington dazedly, and spoke in whispers.

It is a simple fact that Mr. Roosevelt's apparent refusal to intervene in the CIO's strike against the steel independents has come as a surprise to observers here. Even the representatives of trade and business publications were predicting, a month ago, that Mr. Roosevelt in his own good time would call Messrs. Girdler and Purnell to Washington and demand that they negotiate in good faith with their workers. It is generally surmised that, immediately after the breakdown of the Taft mediation board, Mr. Lewis, Mr. Murray and the other SWOC leaders anticipated some sort of action on Mr. Roosevelt's part. His ostentatious neutrality, according to report, greatly disappointed them.

Last week Mr. Roosevelt brusquely denied newspaper rumors of a split with Mr. Lewis, and it seems entirely likely that he will still go to the aid of the steel workers. Observers point out, however, that the degree of intimacy between Mr. Roosevelt and Mr. Lewis has been continuously overemphasized. Almost exactly a year ago, on the eve of the Democratic national convention in Philadelphia, they had a long conference at the White House, during which Mr. Roosevelt is supposed to have handed Mr. Lewis a pencil and told him to write his own labor plank for the platform. Friends of both men say that this meeting is the nearest they have ever come to a working partnership.

During the campaign, despite the CIO's \$500,000 contribution, their meetings were brief and inconsequential. Immediately after the election, Mr. Roosevelt is believed to have objected strongly to the use of his name in the CIO's organizing campaigns on placards reading, "Roosevelt Wants You to Join the CIO." Finally, with the General Motors strike, there came Mr. Lewis' communique: "Labor expects the administration to support the auto workers in every legal way in their fight," and Mr. Roosevelt's answer: ". . . there come moments when statements, conversation and headlines are not in order." There is evidence that this crack from Mr. Roosevelt did not sit well with Mr. Lewis, and apparently this essentially trivial episode has never been satisfactorily straightened out. At all events, consultations between the two men since then are reported to have been brief, and widely spaced. During the recent hearings on the administration's wages-and-hours bill, Mr. Lewis made it plain that he had not been con-

sulted in its drafting, and greatly disconcerted good New Dealers by refusing to endorse one of the bill's main provisions. A final unfortunate circumstance has been the falling out of Senator Guffey of Pennsylvania and Governor George H. Earle, who together constituted a very important channel of communication between the administration and the CIO. Messrs. Guffey and Earle are now reported to be engaged in a little war of their own and unable to lend a hand in the present situation.

Behind the façade of the Supreme Court debate, negotiations for a compromise have now reached a point where only a hair's-breadth separates the two factions. According to report, the reactionaries are offering, in return for the abandonment of the Logan-Hatch bill, their support for a constitutional amendment providing for the compulsory retirement of Supreme Court Justices at seventy-five. If an arrangement can be made on this basis, they predict that Mr. Justice Sutherland will retire immediately, and that the other members of the Court who are more than seventy-five—Mr. Chief Justice Hughes and Justices Brandeis and McReynolds—will withdraw in the relatively near future. They point out that a constitutional amendment providing for retirement at seventy-five, and nothing else, would encounter little opposition, and have every prospect of being ratified promptly, and that Messrs. Sutherland, Hughes, Brandeis and McReynolds would scarcely continue on the Court against the expressed will of the nation. In the special case of Mr. Justice Sutherland, it has been reported for many months that he is anxious to retire, and would have done so before this if the Supreme Court fight had not arisen. Thus, say the reactionaries, under the arrangement they propose Mr. Roosevelt would be able to make two appointments at once, to fill the places of Messrs. Sutherland and Van Devanter, and would be able to make three more appointments within another twelve or eighteen months. This would bring about a quicker remodeling of the Court than the one-Justice-a-year plan of the Logan-Hatch bill.

Observers here, however, are inclined to doubt that a truce can be worked out between Mr. Roosevelt and the Senate reactionaries. This is not altogether because of the risk that the constitutional amendment proposed by the reactionaries might not, in the end, be ratified, or that the Justices might not resign. Much more it is because the Supreme Court fight has now become one of prestige. If Mr. Roosevelt were to drop all attempt to drive a Supreme Court reorganization bill through Congress, and were to fall back on a constitutional amendment, many of his advisers fear it would be interpreted by the country as a gesture of surrender. It would be taken as justifying Messrs. Wheeler, Burke, Clark and the other Senate oppositionists in their stand, and might cost Mr. Roosevelt the control of his party. The Logan-Hatch bill is a poor, weak thing in itself, but it has become a symbol of Mr. Roosevelt's continued leadership, and the likelihood still is that it will be fought over to the bitter end.

The CIO's political arm, Labor's Non-Partisan League, is working steadily towards the building up of local political groups under clear-cut union control. The state chairman of the Non-Partisan League in Michigan, Mr. Frank

X. Martel, will run for the Detroit city council next fall on a ticket including a representative of the A. F. of L. and four officers of the United Auto Workers. A workers' slate will be put up against Mayor Burton of Cleveland, and candidates have already been selected to run for county offices in Washington County, Pennsylvania. One of the few states to have a gubernatorial election next fall is New Jersey, and it is hoped that statewide candidates can be put in the field there. A statewide workers' organization was recently set up in Connecticut at a conference attended by 125 delegates from 54 labor unions. On the Pacific Coast, an alliance is reported to be in the process of formation among the CIO, Labor's Non-Partisan League, the Commonwealth Federation and the left-wing Democrats.

Washington.

T. R. B.

Other People's Money

Why the Decline in Stock Prices?—Long-Term v. Short-Term Credit—A Depression by 1940?

MERCURIAL Wall Street drops for a moment its garments of gloom. Since the early part of March stocks as a whole have drooped sadly and all the starch seemed to have gone out of what looked like a robustious boom in the making.

No field of human wisdom offers so wide a range for wandering as Wall Street when it seeks the reasons for its weak spells. Oddly enough, the weakness that developed around the beginning of the year came at a moment when certain groups were predicting the beginning of the biggest boom in history. Slowly that rosy mood fell away and in these last three months the optimists were wont to say, when you met one of them, "What has become of our boom?" And a mood of gloom—deep and, in places, contagious dejection—succeeded the happy hopes of Christmas. And every kind of reason could be found for the change. Of course the chief reason—the favorite demon—has been John L. Lewis or, if you wish, that other materialization of Lewis, Franklin D. Roosevelt. The labor troubles have been looked upon as a threat to profits and, above all, a blow to confidence.

Then the government's spending program and the slow turn toward the need for more taxes—this has been looked upon by many as a prime reason for trouble. Of course world troubles, war and the rumors of war—it would be strange if these were not tagged as in part responsible for the sagging. Then that old-time devil—uncertainty, uncertainty about laws, about government policies and so on—has had to share responsibility. For Wall Street, despite the foolish headlines about rising financing, has been aware of the fact that fresh funds have not been flowing into industry.

As a matter of fact the decline was due to perfectly natural reasons. Stocks were pushed up too high. The prices were unjustifiable from any standpoint. That being so it was natural they should drop.

Second, speculative circles have been slowly coming around to the view that inflation was about at an end. On the hope of inflation much of the rising price curve was

based. Wall Street has now come to the conclusion that the federal government is going to balance its budget soon and that it is going to tax. That looks to the speculators like the end of the present inflation threat.

There can be little doubt, of course, that the wave of CIO strikes did scare a lot of people down in the Street. For, with the change in mood last week about the strikes, the many evidences of a change in public opinion and a possible stand by the administration, stocks began to move upward again. Once more there were those who accepted this as the prelude to a wide recovery. And some sort of stock recovery may set in like the upward movement of last year. But of course if anyone supposes it is the overture to a great and sustained upward sweep, he would be very unwise.

One of the favorite topics of conservative and reactionary persons these days is the probability of a depression before 1940—more specifically before the 1940 elections. Oddly, in spite of their business interests and their large stake in continuous prosperity, when they tell you there is going to be a depression by 1940 the wish is father to the thought. They see in a depression the doom of Franklin Roosevelt with all his works and pomps. And, of course, the thesis includes the very important element that the depression will be brought on by the administration—the mistakes and bad, even destructive, measures of the administration.

That there will be a sloughing off of business activity meandering off into a depression probably before 1940 is a reasonable enough hypothesis. But that it will be due to the administration is preposterous. The utmost blame that can be placed on the administration is that, when the nation was on the mourner's bench in 1933 and 1934 and willing to submit to drastic reform, it did nothing. Of course it did a lot of blathering and circling about and burning of red fire and summoning of troops and waving of swords. And it did some good things in addition. But it did nothing to affect the fundamental forces that produce depressions.

If a depression comes it will be because of the normal, natural operation of the mechanisms of the capitalist money economy. The capitalist money system's normal state would be one of scarcity and depression without the energy communicated to it by means of credit, and more specifically, long-term credit. Short-term credit is important. It is partially a great convenience in business operation and partially a stimulant. But short-term credit is, after all, merely a means of enabling buyers to spend current income more expeditiously. Long-term credit, however, is a means of enabling the buying public to spend vast sums of future income long before it is earned and, in the process, to create an additional volume of income.

The trouble with this, however, is that, having spent the future income once, we cannot spend it again and the day of reckoning always comes when so much of that future income has been mortgaged for the expenditures of the past that it cannot be used for the expenditures of the present.

The salient feature of the current economic scene is that private industry, which normally always creates most of the long-term credit, has not done so. Therefore the government has stepped in and supplied that function. Private industry still holds back from supplying long-term credit.

But whoever furnishes this long-term credit, this supplying of credit always and for obvious reasons comes to an end.

He would be a bold optimist who believed that there would continue to be a flow of long-term credit by the government and private industry up to 1940. But if that supply fails the fault will lie in the very nature of the capitalist system itself.

JOHN T. FLYNN.

Art and Decision

SOME WEEKS ago in *The New Republic* Mr. Edmund Wilson had an article on Paul Elmer More, and I followed it up with another, partly because of the fact that chance had afforded me a certain corroboration of it, and partly because there were two points involved of great importance to art. One of these concerns the work of art and the living response to it, without which living response your critical opinion *per se* of it matters very little at all. The other is about scholarly professors and an art—or an art and philosophical comment—and the need to perceive the extent to which a discussion is or is not about that particular art, as distinguished, at least partially, from any other art. And now Mr. Theodore M. Greene has written a letter in *The New Republic* to say that he and other former pupils and friends of Mr. More's in Princeton "have read with pain the inadequate account by Mr. Wilson and the frivolous account by Mr. Young of their visits with him."

Considering the grounds chosen and the implications intended, Mr. Wilson's article can, I believe, take care of itself. As for mine, I am sorry indeed to find it taken as frivolous; since in all my writing experience few short articles have had so much labor and time spent on them. Reading it over, I cannot say that if I were now writing it for the first time, I should make it any different; though I can see, of course, how as to tone and so forth I might have chosen various other ways of doing it. I am therefore not writing a defense of any sort, not at all; I am seizing on an excuse to take up the subject again.

Of Mr. More's scholarship in many languages, his study of "the classics, the religions of the East and philosophy," that Mr. Greene speaks of, my article had nothing to say; since naturally I should not presume to such judgments. But what is worth recording and returning to is this:

All over the world lecturing, theorizing, judging, et cetera, et cetera, with regard to art goes on. Meanwhile it happens that art also goes on, exists, exists. For this condition I had come upon there in London very much of a case, or if you like, illustration. It was not, of course, unique, since in one form or another the same process appears constantly and everywhere. But here on the one hand I had a scholar, thinker, critic of great eminence; and on the other I had freshly within me the life and influence of the great art of the past (literature and the visual arts in Italy) and around me in London an unusual stir of current art in several forms. Mr. Greene speaks of More's vast studies as pursued not academically but "as the source of deep insights, to provide him with a way of life." It is an approach with which I certainly agree, though there are many who insist more on what they call pure esthetics and so on. But Mr. Greene adds, "He yielded to no man in

rugged loyalty to the beliefs which were the product of a half-century of labor and reflection." And that was just it. Two centuries of labor and reflection will not make your opinion of Titian worth very much unless meantime you have learned to read the language Titian speaks. This, of course, Mr. More, like any cultured person, had done to some extent, though not enough; his opinions would have worn Titian out. If I had chosen another tone, I might have written of how sickening those first occasions were; what it was like to come from something where the imagination had created images through which were brought to me insights and meanings not before mine, or from contacts where a strong and generous life might at the very least lead toward creation in art, and be thus confronted. The conversation was largely between the other scholar—my friend and his—and Mr. More, and I a listener. It goes without saying that Mr. More was courteous, kindly, immensely learned. For the most part, doubtless, it was solely the phenomenon of art's presence in the world that gave him for me that cast of the persistent, seriously concerned, tentatively checking, facing you down, and contraceptive. When Mr. Greene speaks of More's being "genuinely humble in the face of major perplexities," I am sure he speaks from right knowledge; but it might be said quite unfairly no doubt and yet provide a certain slant on the point, that it is possible to be humble especially before one's conclusion about a major perplexity. And I might easily recall my early boredom, depression, even rage, in the face of Paul Elmer More's quality, but that would get nowhere, and would merely convey the impression—not at all true, of course, for I felt about him something noble, touching, hungry and grand—of dislike. One way I could put my point about More, I suppose—and it is the best I can do—would be to say this: that he was sensitive, in some arts more, some less, to art, but that between his sensitivity to art and his appreciation of it, there intervened too much of what does not lead toward creation.

"I can realize now," Mr. Greene says, "as I did not then, how eager he was for the understanding and friendship of younger men and how largely the frigidity which has so impressed Mr. Young reflected the shyness and timidity of a solitary mind grown unaccustomed to easy social intercourse."

This is the kind of thing that may well frighten a man from trying to write, or even speak. I meant nothing of the kind. To take my term in that sense merely gets us on the banal ground of the reserve, outer shell, cold manner, and the rest of that well worn old theme—we have all heard how when you do come to know X——, you will find, etc., etc., not always without a whiff of implication that when X—— did come to know you, he found, etc., etc. I mean by frigidity something pretty much what a doctor might mean. I am as I said, terrified of it; and I am terrified of it because in its presence I am in the presence of what too little may receive, respond to, give back, or fructify or bless, the life in me. (At the risk of seeming frivolous I might lighten things just here by likening it to the cold jelly that poets used to imagine for one of the circles of hell.) I was not talking of reserved-manner platitudes but of tragic matter when I wrote of "that frigidity which, as sleep may do on the sleeper's face, leaves the vital substance cast in the pallor and retreat of death."

The last paragraph in my essay—"And so I said good-night and left the scholars to their eminence, the two of them there, as if taking turns, one blowing the horn while the other ascended"—I labored over to make ridiculous the picture, because, for the average healthy person in contact with a work of art, it should be made ridiculous, in order that he may more readily dispose of it. We have two admirable men talking about painting, for the moment, shall we say, about Perugino's "Crucifixion." It does not follow that they do not truly, or even deeply, admire this picture, or that what they say about it is stupid. The point is that what they say about the picture might just as well have been said about some book or moral thesis or what not. To painting it may have, precisely, the application and have the value, important or not as may be, that it has for any general life or thought. Otherwise what the two of them are saying gets nowhere. There is no proper reason, then, why, unless you choose it so, they should be left unmolested and unmocked, sitting there with that hint of word-authority, ethical sonority and cloistered monopoly, to mix things up for art and confuse the issue of creation.

STARK YOUNG.

The Bandwagon

Sheriff Toman expressed hope yesterday that corporations involved in strikes would reimburse the county when it incurs extra expense in keeping special police on duty at the companies' plants. He cited the case of the Universal Oil Products Company, which arranged during the day to donate a new squad car to the county highway police as an expression of appreciation for police services during a recent strike in the company's plant.—*From a news item in The Chicago Tribune.*

Q. Who was the first one in the history of Christianity to use the tactics of the united front?

A. Judas, by betraying Our Lord with a kiss.—*From a pamphlet, "The Tactics of Communism," by the Rt. Rev. Msgr. Fulton J. Sheen, D.D., published by the Paulist Press.*

The activity in the streets equals New York during its busy hours. The intensity of truck and automobile congestion is added to by the left-hand drive.—*From a syndicated signed article by former Governor Alfred E. Smith of New York, written from London.*

Of course, there are stupid folks who just don't believe in Communists. But, if they will consult a reliable detective agency, they will find that live Communists, like gigolos and hostesses, can be supplied for any kind of a party.—*From an editorial in The Chicago Daily News.*

THE TELL-TALE HEART

"I'm just a family man at heart," said Mr. Barrymore, who has been divorced four times.—*News item from Los Angeles in The New York Times.*

RELIGIOUSLY REAL WAGES

I've never thought of paying my men on the basis of what they need. I don't inquire into what they think they

need or their standard of living. Those things have to do with the emotional side of living. I attend to them in my church connections.—*From the testimony of John E. Edgerton, Nashville, Tenn., president of the Southern States Industrial Council, owner of a cotton-textile mill, before congressional hearings on the Black-Connery wage-hour bill, as reported in The San Francisco News.*

LITTLE ONES OUT OF THE BIG ONE

You graduating women should go out and get married and help solve the unemployment problem.—*From an address to the women in the graduating class of the University of California at Los Angeles, by Dr. Gordon S. Watkins, quoted in The Los Angeles Times.*

TARDY-CONFIRMATION DEPARTMENT

One of the remarkable features of the case of the man who was given a millionaire mentality by a brain operation was that his intelligence decreased constantly as his success in business increased. He also developed an increasing lack of discrimination. . . . Neurologists said . . . that the characteristics developed in this man were those required to achieve success in business.—*News story in The New York Herald Tribune.*

ADD DEFINITIONS OF COMMUNISM: VII

Rob communism of its atheistic concept and it is nothing more than a cream puff.—*The Reverend Matthew J. Toohey, pastor of St. James Church, quoted in The Newark, N. J., Star Eagle.*

Our readers are invited to contribute to this column and \$1 will be paid for each item used. Address The Bandwagon, care of The New Republic.—THE EDITORS.

CORRESPONDENCE

"The Right to the Work"

SIR: President Eugene Grace of Bethlehem Steel, if correctly quoted, is misinformed in saying that Pennsylvania authorities have failed to protect (steel) employees "in the exercise of their rights to work."

Mr. Grace should have said "in the right to THE work" (*droit au travail*). "The right to work" (*droit du travail*) has never had any legal standing in the United States.

Twice only in modern history has this right been given lawful status. The French Commune of 1870 set up "Ateliers" in an attempt to solve the problem. The experiment did not succeed. The Russian Constitution, promulgated in 1919, carried provisions to establish this right. History has not yet written its verdict.

It is too bad that there is so much confusion in the use of these terms by "authoritarian writers" who should know the desirability of accurate terminology.

The difference is that between the basic philosophy of the A.F. of L. (*droit au travail*) and that of the CIO (*droit du travail*).
Oakland, Calif. W. S. GOODRICH.

Savings-Bank Life Insurance in New York

SIR: I wonder if your readers realize how few people in the state of New York know of savings-bank life insurance, and that it has been operating successfully in Massachusetts for almost thirty years.

Mr. Justice Brandeis, when I saw him last summer, mentioned

the astounding progress that this form of life insurance was making in Massachusetts. When I returned to New York, I started to talk to my friends about savings-bank life insurance—people who are well read and supposed to be knowing people—and it was surprising how few of them knew that it existed, much less the remarkable progress that has been made in Massachusetts.

It struck me as remarkable that out of a directorate of twenty-five members in the Massachusetts League the majority are old-line conservatives, Republicans for generations. When I asked them why they were devoting so much of their time to what seemed a liberal movement, they put it that this is a matter where "the lion and the lamb must lie together," that if we had savings-bank life insurance all over these United States, it would not be necessary, as they thought, for the government to enter the social-security field.

It is a fact that in Massachusetts a man thirty years old can buy a policy by paying \$2 down and \$1 each week thereafter, and when he reaches the age of sixty-five, he will have available in cash \$2,956.80. If he wishes, this may be applied to purchase a life annuity, which would provide \$282, payable each year as long as he lives, or \$23.50 each month. Meanwhile his life has been insured for \$1,000.

It may interest you to know that by special enactments, recently signed by the Governor, our League was given the privilege of using the title of Savings Bank Life Insurance League of New York, Inc. It was necessary to change the corporate law of the state, but apparently the leaders in Albany were convinced of the necessity for savings-bank life insurance in this state. The League is now forming for the purpose of introducing a bill at the next session of the Legislature that will permit the savings banks of this state to sell life insurance "over the counter."

SIDNEY E. WOLFE,

For the Savings Bank Life Insurance League
New York City. of New York.

Mr. Saroyan Comments

SIR: In view of the typically Saroyan manner of the comments of the various members of your staff on my "Notes from Hollywood" which I sent the magazine from that town over seven months ago and which you have just published [June 23], I feel that it may be legitimate, not to say somnambulistic, for me to comment briefly on the comments collectively, as well as on two or three other things.

The comments, as your staff would say, were all exhibitionistic. That is to say, direct, honest, artless and free of bluff.

Commenting on the stuff you print is a fine idea. You have so many distinguished contributors who are so untypical of themselves or anybody else worth bothering with that maybe you could help them out by commenting on how bravely they bluff and how amusingly they give dull people like themselves the impression of being erudite, profound and brilliant. Better still, though, maybe you could get the contributors themselves to comment on their stuff and thereby improve their health, their style, American letters and your magazine.

WILLIAM SAROYAN.

San Francisco, Calif.

WPA Mortality

SIR: The story of WPA cuts, in all its wretched and sickening heartlessness, has been only too familiar to readers of the daily press during the last ten days. In particular, the League of American Writers is concerned with the fate of the cultural projects. Thirty percent of the workers are being dismissed, for instance, from the Federal Theatre, and in the Federal Radio Division the mortality is even higher—50 percent, including the director, Mr. Alfred Kreymborg, who has been dismissed without warning by a superior officer, Mr. Evan Roberts, who has never seen fit to attend a single audition of the work directed by Mr. Kreymborg.

Not only in my individual capacity as writer and poet, but also as a member of the National Executive Council of the League of American Writers, I should like to urge the readers of The New Republic to protest the dismissal of Mr. Kreymborg, and to demand

the continuance of the programs he had envisaged. Every cultural element in American life is being deprived of an opportunity if the American Poetry Hour is canceled. Among the poets all over the country who had agreed to participate were Robert Frost, Archibald MacLeish, Robinson Jeffers, James Weldon Johnson, Mark Van Doren, Genevieve Taggard, Horace Gregory, Langston Hughes, Maxwell Bodenheim, William Rose Benet, Robert P. Tristram Coffin, Allen Tate, Ridgely Torrence and John Hall Wheelock. As is evident from the above, the list is no sectarian one.

Our members who have been privileged to attend the rehearsals of the actors on the Federal Radio Project have been greatly impressed with the work in progress.

Any assistance that The New Republic or its readers can give, or any pressure they can bring to bear, will be greatly appreciated by the undersigned.

ROLFE HUMPHRIES,
for the National Executive Council,
League of American Writers.

New York City.

The Surrealist Show

SIR: Those interested in contemporary art are accustomed to a vicious attack from the complacent, but it is painful for them to find it in your columns. The case in point is an article on Surrealism by Mr. Paul Rosenfeld in a recent issue. Mr. Rosenfeld, I understand, has a dilettante interest only in visual art. It is not difficult to show his academic bias. Any medium not approved by the schools he calls an "anomaly"; the subjective use of color is "poisonous." Hans Arp, accepted as a leading European sculptor, to Mr. Rosenfeld is "near the vanishing line" of merit. A special insult is kept for one of America's chief moderns, Alexander Calder.

This is not criticism and one cannot reason with it. But certain things must be said. Not only is Surrealism "essential and significant and comprehensive." It is becoming the basis of everything significant in European art. This work is not "inordinately temperamental," nor is it unconnected with the fantastic art of the past. It is part of a movement away from the worn paths of the ego and superego—as André Breton has it—to exploit the riches of the subconscious mind. Precisely an attempt, that is, to recreate a plastic folk poetry, "made by all, not one."

You could well have published constructive criticism, such as James Johnson Sweeney's excellent "Dali and Mirò" which you carried some time back. It is important to show the evolution from Chirico's semi-academism to the art of Mirò and Giacommetti. And it is vital to show that the researches of Dali, while rich at first, must never be imitated. It seems to me that you owe it to your reputation and your readers to publish a corrective article. And to the Museum of Modern Art you owe an apology.

Chicago, Ill.

JOHN A. THWAITES.

SIR: I am at a loss to know whether Mr. Thwaites discovered my identification of "subjective color" and "poisonous color" and my insult to Alexander Calder, in the ego, the superego or among the treasures of the subconscious mind. I only know he did not discover them in my article. They are not there.

Permit me to take this opportunity to rectify an error in the piece. It occurred in the sentence concerning Klee. This should have read: "He has simplicity, he has *line* and a poetic sensibility."

New York City.

PAUL ROSENFELD.

From The New Republic Mail Bag

Winifred B. Cosette, of Cambridge, Massachusetts, injects a new element into discussion of the Supreme Court by suggesting that President Roosevelt fill the present vacancy on the Court by appointing a woman jurist, Florence E. Allen, judge of the United States Circuit Court of Appeals, Ohio. . . . Hargis Westerfield, of Cincinnati, Ohio, is very much annoyed because colleges and universities make a Ph.D. degree a virtual requirement for a place on the faculty. He thinks this puts undue stress on formal education and bars many who may be superior in teaching ability to some persons who have the degree.

The proposal of J. A. Hobson, published in our issue of June 30, for Anglo-American coöperation with each other and the League of Nations to check fascist aggression and uphold world peace, continues to draw fire from our readers. Dr. G. Halsey Hunt, of the United States Marine Hospital, Seattle, Washington, thinks the proposal ominously parallels the kind of "holy crusade" talk that was heard so much in 1917, and R. I. Lovell, of the department of History at the University of North Dakota, says both Britain and the United States should establish firmer guarantees of democracy in their own countries before trying to democratize the world.

Charlotte Moskowitz, secretary-treasurer of Commonwealth College, Mena, Arkansas, offers Commonwealth as a vacation suggestion for progressive-minded persons. The fee is \$1 per day and two hours of work or \$2 per day and no work. There is an augmented faculty for the summer.

Harold Oram, of the North American Committee to Aid Spanish Democracy, 481 Fourth Avenue, New York City, reports that up to July 1, the Committee had shipped foodstuffs and clothing valued at \$250,000 to aid non-combatants in the territory held by the loyalist government of Spain. He hopes the flow will not only continue but will grow. . . . The Medical Bureau of the same committee reports the sending of 101 surgeons, nurses, ambulance drivers and technicians and the establishment of six hospitals, at a total cost of \$118,045. Dr. William J. Crookston, executive secretary of the Medical Bureau, says that the need for still further personnel and medical supplies is acute.

Eugene P. Connolly, director of the Taxi Workers' Organizing Committee of New York City, which already has organized 9,000 of the 35,000 workers in this industry and has won a contract from one of the largest taxi companies, describes for us a new tactic of progressive trade unionism. The union keeps in touch with its members by twice daily broadcasts on radio station WEVD, many of the drivers receiving the programs right in their own cabs. . . . Boris V. Morkovin, assistant director of the American Institute of Cinematography, Box 74, University Park, Los Angeles, California, estimates that more than 400 teachers from all over the nation will attend the annual convention of the Cinema Appreciation League, July 22-27, to hear outstanding actors, directors and technicians discuss all phases of the making of motion pictures.

Louise Davies, of Ventura, California, looks down her nose at the Pulitzer award for the novel, "Gone with the Wind," and suggests James T. Farrell's "A World I Never Made" as a more deserving choice. . . . Another Californian, F. A. Shippy, of Palo Alto, cannily suggests that the factor which will draw us into the next world war will not be foreign loans or foreign trade but the killing of some American citizens who happen to be innocent—but highly vulnerable—bystanders during the bombing of some European capital.

What's on the Air?

A member of President Roosevelt's Cabinet will speak over the Columbia Broadcasting System network each Friday night at 10:30 in a new series beginning Friday, July 16.

Mrs. Charl Ormond Williams describes the biennial convention of the National Federation of Business and Professional Women's Clubs, Thursday, July 22, 4:15 P.M., CBS.

A special summer program of America's Town Meeting of the Air is broadcast from Chautauqua, New York, with James G. MacDonald of the editorial staff of The New York Times leading discussion of the question, "Will Collective Security Give Us the Road to Peace?" Thursday, July 22, 9:30 to 10:30 P.M., NBC-Blue Network.

Musical and dramatic programs of the week include a chorus of 1,000 voices in the Mountain Choir Festival at Mountain Lake Park, Maryland, Sunday, July 18, 5:30 to 6 P.M., NBC-Blue Network; Leslie Howard and a distinguished cast in a radio version of Shakespeare's "Much Ado About Nothing," Monday, July 19, 9 P.M., CBS; followed on the NBC-Blue Network the same evening at 9:30 by John Barrymore in a "streamlined Shakespeare" version of another of the Bard's classics; and a broadcast of the opera, "Tosca," from Cincinnati, Saturday, July 24, 10 to 11 P.M., NBC-Blue Network.

All times given are Eastern Daylight Saving Time.

BOOKS IN REVIEW

It's Terrible! It's Ghastly!
It Stinks!

I HAVE laughed a great deal in reading this book.¹ I like to hear about how Sam Goldwyn, when told that a script was "too caustic," said: "To hell with the cost! We'll make it anyway." And I like even better to hear about how Goldwyn had brought Maeterlinck to Hollywood in a private car and then, after seeing his first script, rushed from the room screaming: "My God, the hero is a bee!" Alva Johnston, who is an adept at this kind of personal sketch, has handled his subject with deftness. He has turned out a good piece of light reading, in which the Goldwyn gags are sprinkled in such a way as to give the whole story a certain comic sparkle.

And yet this book has made me slightly sick. It has the slave brand of Hollywood upon it. Instead of being able simply to present Sam Goldwyn as the rich humorous character he undoubtedly is with whatever credit for energy and enterprise he deserves, Mr. Johnston seems to feel forced to flatter him. Mr. Johnston does not, to be sure, offer up his homage to Goldwyn with quite the piety of a denizen of the studios. He is used to writing "profiles" for *The New Yorker*, and he makes an attempt to turn his paeans off with quick winks and light changes of tone. But the flattery is there just the same. One gets very definitely the impression that Mr. Johnston has written his sketch in such a way that Mr. Goldwyn will be able to read it or to have certain selected passages read to him and imagine that he has been apotheosized by Mr. Johnston, while at the same time Mr. Johnston will be let out with his friends in New York by the delicate irony which he has aimed in their direction but which may not be perceptible to Mr. Goldwyn. Or perhaps it is all a special kind of publicity designed to give more serious weight to Mr. Goldwyn by scaling down his colossal vanity and ignorance, and what sounds from Mr. Johnston's account like a lack of ordinary sportsmanship and decency, to the proportions of amusing foibles which only endear him the more to his friends.

I will quote only two examples—the whole book is written in the same way. "It has been said," says Mr. Johnston, "that if Shakespeare were alive today, Goldwyn would have him. It is an interesting notion; some of the bad plays, like 'Cymbeline,' 'Troilus and Cressida' and 'Pericles,' might have been tightened up into great dramas if the playwright had had a producer over him to tell him, 'It stinks, Wagstaff. It's lousy. It's terrible. It's ghastly. You're ruining me, Wagstaff.'" Very funny about Goldwyn talking to Shakespeare; but what is Mr. Johnston's object in asserting that the defective plays of Shakespeare could have been converted by Mr. Goldwyn into "great dramas"? Mr. Johnston must know as well as anybody that Mr. Goldwyn would not be able to do anything for the least of Shakespeare's plays except turn it into something different and worse. And here is the conclusion of "The Great Goldwyn":

Last year was Sam's twenty-third in the movie business; his press department at that time spotted him

two years and celebrated the completion of his quarter-century in the business. Next year is Sam's real silver jubilee. It is something for everybody to feel patriotic about. The U.S.A. leads the world by a wider margin in pictures than anything else, and one of the chief reasons is the Great Goldwyn.

Well, I for one will be damned if I will feel patriotic about Sam Goldwyn's silver jubilee, which his agents have already celebrated two years before it was due. In what sense does the United States lead the world in moving pictures? We make more of them and are more proficient mechanically, but have we ever had anything that was comparable artistically to the best Russian and German films? I can think of nothing except Charlie Chaplin, who is his own producer and produces simply himself. Our films seemed to be improving for a while, at least up to 1930. There were new actors brought in from Europe and from the speaking stage in New York; there was mechanical experimentation and an esthetic attention to photography; intelligent directors were given their chance.

Then, with the retrenchments imposed by the depression, the whole movie business seemed to harden into something immovably banal. The big producers nailed down their favorite formulas in all their obviousness, falsity and vulgarity, and almost entirely abandoned the attempt to make the old stock situations seem lifelike or to point them up with scenic distinctness. The actors who were brought to Hollywood were handled with extreme stupidity, and invariably, if they stayed there, ruined. A lot of talent has been fed into the studios, and what have our pictures got to show for it? How shall we ever know now whether John Barrymore would ever have amounted to anything? How shall we know whether Katharine Hepburn—or, for that matter, Greta Garbo—ever really had anything to her? They set the talented Emil Jannings to performing over and over again wretched parodies of his German masterpieces with everything that had given them reality and made them moving bleached out by the insipid Hollywood sun, until he could stand it no longer and escaped. Charles Laughton has also escaped and has returned to England and the Old Vic. Marlene Dietrich, who must have some ability, because she makes marvelous phonograph records in German, has been turned into something in the nature of one of those loose-jointed dolls which you see propped up against the pillows in ladies' boudoirs, and made to appear in pictures so foolish, so unsightly and of such horrible taste that the most beautiful woman in the world could not survive them. The only mirrors in which the film actors may see themselves are apparently the movie magazines, edited for adolescent schoolgirls.

Anna Sten Mr. Samuel Goldwyn seemed unable to use at all; and I see that she has now come back to make "Gorgeous," "Love Me Again" and "Orchid Girl" for Grand National. Mae West, whose great attraction was that she made up her own stuff and created a fairy-tale world of her own, now has savorless imitations of her personal vein written for her by Hollywood hacks, who have quickly converted it into ordinary Hollywood. The vultures of the Coast get them all. A director like King Vidor who has serious aspirations ends by producing the worst kind of monstrosity: the bad serious picture. The polish of Lubitsch ends as thin veneer on the awful old formulas. It has actually got to a point where films like Tarzan and Charlie Chan are

¹ The Great Goldwyn, by Alva Johnston. New York: Random House. 99 pages. \$1.50.

really the most satisfactory things one can go to. They are absurd, they are fairy tales; but they have a certain independent existence.

The other day, after long abstinence from the movies, the result of having seen nothing but bad films for a year, I went to one for the first time in months. I had assumed that the Marx brothers were indestructible. True, I had been reading the publicity stories about their new picture, "A Day at the Races": about how it had first been taken all over the country in the form of a stage entertainment and had had eliminated from it every gag which was found to be not immediately susceptible of being appreciated by an audience in every town of more than two or three thousand in the Union. (George Kaufman, who wrote "Once in a Lifetime" as a satire on Hollywood after his first experience there but who afterwards went back for more, apparently lent himself to this.) But I hadn't grasped the inevitable consequence: that all vitality, all spontaneity, would by this process be eliminated from the Marx brothers. As if even popular comic art were not more a matter of putting over something of one's own on one's audience's imagination (as Charlie Chaplin and Walt Disney have) than of finding formulas to provoke its sure reactions! The idea of establishing and exploiting the lowest common denominator of audiences has finally killed the movies. They are absolutely sterile and static. And even the Marx brothers are no longer the Marx brothers. Their corporate élan has been deadened by unnatural selection of their dull-est gags, specially written down for the hicks by Mr. Kaufman; and now they fall asunder helpless. It would be a joke if "A Day at the Races," after all the trouble taken to ensure its popularity, should turn out to be a total flop.

And the writers. Before the vultures have cleaned up the carcass, the big white worms of the studios have grown fat on it. And the vultures get the worms, too. Have we not all had dear friends who have gone West with a smile on their lips and who have never returned again?—from whom we have ceased to hear and whose names we never mention, whom we remember a little wonderingly sometimes as young people of promise we once knew and in connection with whom it never occurs to us that they may have been the authors of the dreadful stuff which we hear the smooth-faced phantoms croak between kisses and pistol-shots when we are unwise enough to go to a film? Yes, as Alva Johnston tells us, Mr. Goldwyn always wants the best writers. And there they are cooped up in their little cells, like school children doing exercises for teacher. Teacher is the supervisor, and the great aim is to be a favorite of teacher's. There they are blowing in their money on goofy Los Angeles houses and on gigantic cocktail parties where they talk about their salaries and their options and always speak of their superiors with respect. There they submit to be spied on by their employers and to have their letters opened and read. There the few who have not surrendered themselves entirely believe themselves to be uncompromising leftists—get together to give three cheers for Stalin and to shed a tear for Spain. But when the Screen Writers' Guild was organized, it took only one woof from Schulberg to send them running like prairie-dogs to their holes, leaving the job to the technicians and the actors. And now the black-listed leaders are creeping back, so long habituated to degradation at high salaries that, however radical their professions may be, they don't know how to get on without it.

The only indictment of the big movie producers which has ever seemed to me strong enough was written years ago in the old Smart Set by George Jean Nathan. He had the rich and reckless language for it, and I am sorry that my

own powers are relatively feeble. It is quite plain that the producers of today, including the Great Goldwyn and the late lamented Irving Thalberg, are the same megalomaniac skates they always were. You have only to look at their pictures. You have only to look at their slaves. From the servant you may know the master. Mr. Johnston can have had only a brief submergence, but look at the book he has produced!

EDMUND WILSON.

The Doctor's Dilemma

American Medicine: Expert Testimony Out of Court, edited by Esther Everett Lape. New York: The American Foundation. 2 vols., 1,500 pages. \$3.50.

WHAT DO doctors think of their own profession? Here is a comprehensive attempt to carry that question directly to the men in the field, with answers on an off-the-record basis and no replies barred. The sheer statistics carry weight. More than 2,100 practising physicians, representing every state in the union and every branch of medicine, contributed to these two monumental volumes.

The conclusions follow three main lines. The editors say that prevailing opinion among medical leaders "is clearly that the present costs of medical care are tragically out of reach of a large part of the population"; that the doctor "is no longer concerned exclusively with the sick, but also with a guardianship of the health of the nominally well"; and that the state has a stake in the health of its people. This is progress. These conclusions run contrary to the official views of the American Medical Association—although, with very few exceptions, the authors are members in good standing.

It is evident to these representative physicians that there is something wrong with organized medicine in this country. It is equally obvious that there is no general agreement on means of overcoming the present evils of inadequate distribution and delivery of medical services.

Concerning the availability of medical care, testimony ranges all the way from the declaration of the Connecticut surgeon that during his nearly forty years in "practice of medicine and surgery" he has "yet to see any cases entitled to medical care that have been neglected because of our system" to that of the president of a medical society in a Southern state: "It must be clear to any open-minded person that the highest scientific quality of medical service is out of the reach of approximately 90 percent of the people." The weight of this expert testimony, however, is clearly on the side of the president of the Southern medical society.

The first volume of this report sets forth views on general principles and considerations that should underlie the organization of medical care, on medical education, on specialization and on group practice. The second volume deals mainly with proposed solutions of the problems presented by the costs of medical care and the inability of the great majority of people to meet them. It presents a vast amount of conflicting testimony on the following topics: the place of the hospital in the organization of medical care; public-health organization; experimentation by state and local medical societies; state medicine; health insurance; limited state medicine and private practice.

The testimony regarding both partial and total systems of state medicine and on health insurance, compulsory and voluntary, is highly conflicting, as one would expect. Nevertheless there is a considerable body of opinion in favor of state medicine, which seems to be gaining advocates among both leaders and the rank and file of general practitioners. Those in favor of complete state medicine hold that there

can be no distinction between public health and private health; that public health is a national concern; that abuses in the present system, such as fee-splitting, can be avoided only by state medicine; that only state medicine will save the profession from ruin; and that, whether we like it or not, it is coming anyway. Those opposing state medicine (still preponderant) hold that it is impossible to socialize medicine in a capitalistic system. They fear political consequences and distrust all governments. They are concerned above all about the doctor-patient relationship.

Because of the fear of state medicine, health insurance is gaining support from doctors who are convinced that some change in medical service must be made. The report shows, however, that a great many physicians are opposed to compulsory health insurance. For years a discredited correspondent of *The Journal of the American Medical Association*, not a member of the British Medical Association, has been offering grotesque figures on English medical experience to frighten the timid members of organized medicine away from compulsory health insurance. A few years ago this fraud was exposed by a special committee of the relatively independent Medical Society of the state of Michigan, which went to Chicago to ask the officials of the AMA for the name of their anonymous correspondent and on what authority he spoke. Being refused and told to go home and mind their business, the committee decided to go to England instead. They found that nothing could be farther from the truth than most of the allegations of the AMA concerning national health insurance in England—allegations that it has proved a failure and is detrimental to both the profession and the public, that it has tended to stifle initiative and reduce all professional service to the same low level. According to the testimony of Dr. G. C. Anderson, medical secretary of the British Medical Association:

The allegation that the British medical profession is dissatisfied with the operation of the act is completely refuted by official resolutions of the BMA and the conference of panel committees which were unanimously adopted several years ago and have been reiterated from time to time. The sentiment has been repeatedly expressed that the benefits resulting from the act have been sufficient to warrant its continuance and improvement. The profession now favors its extension to include all dependents of the insured workers.

In a summary of the views on insurance the report states that "there is little objection to voluntary insurance except on the ground that people will not take it. But experience the world over shows that, in the main, the doctors are right in their view that the masses of the people will not insure themselves voluntarily. Although there may be upward of a million people insured under voluntary plans of one kind or another, there are tens of millions in need of medical service who are never to be covered by a voluntary plan."

Summarizing the testimony on hospital insurance the report indicates that although "it meets the need of most persons for hospital care, and to some extent meets the need of the hospitals for funds, the group of correspondents suggest that it may delay more fundamental dealings with both problems." The report reveals a group of doctors who favor combining "limited state medicine" with private practice.

It is to be hoped that this report by the leaders of American medicine will lead to serious study of such books as the Report of the Committee on Costs of Medical Care; Sir Arthur Newsholme's "Medicine and the State"; "Paying Your Doctor's Bills," by Dr. Michael M. Davis; Dr. Hugh Cabot's "The Doctor's Bill" and "Security Against Sickness," by Dr. I. S. Falk.

The three members of the Foundation's governing committee—Miss Esther Everett Lape, member in charge; Dr. Truman G. Schnabel, assistant professor of Medicine, University of Pennsylvania, medical member of the committee; and Miss Elizabeth F. Reid, director of research of the committee—who have been engaged in this inquiry for the past eighteen months, have made it clear that "the intent and purpose of their report is to illumine and not to prove." They have also indicated that in sending out their inquiry to the medical profession only "there was no assumption that doctors alone could solve the problem. Social scientists, economists, government administrators," they realize, "have certainly a contribution to make." Moreover they promise that a similar inquiry will be carried on later among these other professional and non-medical groups.

JOHN A. KINGSBURY.

To the Academy

Anatole France, by Edwin Preston Dargan. New York: The Oxford University Press. 762 pages. \$5.

ALL THE budding M.A.'s, Ph.D.'s, monographers, literary historians who have done research on this or that aspect of Anatole France's work, documented devotees, conspirers, cranks, snoopers, exploiters of "the Master's" fame, relatives, friends, and friends of friends of the writer, have in the past half-dozen years or so come upon the discreet traces of Professor Dargan or have at least been aware that he was slowly, patiently gathering material for a work on Anatole France in which their own contributions would be evaluated against the background of all the recorded facts and the monumental mass of commentary that has grown around the writer's name. Dargan's book is now available, more than seven hundred extremely readable pages, crammed full of carefully checked facts, discriminating analysis, illuminating commentary, all enriched by a wide background of learning—and after a first reading I unhesitatingly commend it as the fullest, the most thoroughly documented, the most useful work that has yet appeared on the French writer. It is henceforth the essential work against which all future studies will have to be checked.

The author follows Anatole France's development step by step straight through to what he regards as the height of his career, namely his election to the Academy in 1896, examining as he goes all available writings, published and unpublished, by and on the writer, hunting sources and entering into elaborate literary analyses of the poems, stories and novels. Every fact, every opinion, every judgment is carefully presented and weighed, and one cannot fail to note his more than generous acknowledgment of his indebtedness to the work of his many predecessors in the field. What he has added of his own to the hundreds of sources he cites is in evidence on almost every page of the present study.

There have been more brilliant books and essays written on France—indeed he challenges precisely the brilliant type of critic—but none more scrupulous, more patiently searching, more engagingly modest, and on the whole more judicious. And the author's own personality shines through his style with a kindly warmth. A real affection for his subject is evident throughout. But Professor Dargan glosses over none of the less admirable features of his subject, and he records all the facts, and even the credible gossip on which the harshest judgments have been based—indeed he records and examines the most important of these judgments. So that his work is in no sense a work of filial piety.

The most valuable contributions of the book are: a thorough examination of France's writings for biographical data and self-revelation, in the course of which Dargan unearths a great deal that is new and significant; a most searching analysis of the periodical writings which have never appeared in volume form and which, as Dargan states, include at least one-half of what he wrote; the careful relating of each of France's writings to the period in which it was written and to the circumstances attending its composition; a more complete and painstakingly checked account of the facts of France's life than has yet been written; and finally an extremely discriminating evaluation and utilization of practically all the critical material on the subject.

The chapters constituting analysis and evaluation of France's work are necessarily less objective, and have consequently less finality. And it is unfortunate that the author should have stopped where he did. To end a volume bearing the unqualified title "Anatole France" at the fifty-second year of a life that continued for twenty-eight years more, during which the subject wrote what many consider his best and most significant work, is to throw the whole subject a little off balance. And the perhaps unintentional emphasis thus given to the official crowning of his career is doubly unfortunate. While it is true that an author's early life conditions his later years and, in a sense, contains them, it is also true that his later life illuminates the earlier. And it is clear that Dargan likes the earlier France much better than the later. Another point that must be mentioned is the fact that in accounting for France's evolution Dargan does not give enough consideration to the decay of bourgeois society—a decay of which France himself, as Edmund Wilson has pointed out, was deeply aware, of which he was the historian and of which he remains a symbol. There is consequently an overstressing of the factors of his personal life and (though Dargan here brings to light some important new material) an exaggeration of the effect of France's marital misadventures on his social and cosmic ideas.

Anatole France emerges from the study, not an admirable, but an impressive and on the whole sympathetic figure. A weak-willed, self-indulgent man, with many foibles and pettinesses, skillful—oh, so skillful!—in spite of his indolence and nonchalance, in promoting his own career and ministering to his pleasures, his comforts and well-being. Withal modest, unassuming, unsure of himself. Kindly, indulgent, full of noble yearnings and generous impulses. Yet in spite of his hesitations, his backslidings, his sybaritism, he was on the side of the people, of the downtrodden, and with his mind at least he came to believe in socialism. Wholeheartedly? No. For he was never, except perhaps in his early youth, wholehearted. He once said in his later years: "I shall not make the gesture that would accord with my ideas" (*L'acte qui accorderait avec ma pensée, je ne la ferai pas*). But I believe there is sufficient evidence to show that, as he definitely rejected the social order of his time, he accepted socialism as necessary, if not wholly desirable. Professor Dargan does not seem to feel so. I do not think, in this connection, that he does justice to the whole question of France's later political ideas, and in particular to Charles Braibant's book dealing with the early manifestations of France's socialism. But in closing at the year 1896 he is warranted in not giving fuller consideration to this subject.

While Anatole France may never command our unqualified admiration, he will take his place, with Voltaire, among the champions of freedom. As Dargan says: "He never demanded that man's thought should be lofty, but only that it should be free." This he did demand, and I believe that if the urgent need had ever arisen in his life he might have fought for it.

HAakon M. CHEVALIER.

The Complete Robinson

The Collected Poems of Edwin Arlington Robinson. New York: The Macmillan Company. 1,510 pages. \$3.

Next Door to a Poet, by Rollo Walter Brown. New York: D. Appleton-Century Company. 98 pages. \$1.50.

ROBINSON'S "Collected Poems," a portentous volume of fifteen hundred pages in all, lacks only one feature to make it complete: the ten pages that Robert Frost supplied as preface to the posthumous "King Jasper." For the rest, there is not much to be said of it, except that as a job of bookmaking it is less attractive than its contents deserve. But there is a great deal still to be said about Robinson as a poet.

It was in 1915, with the republication of "Captain Craig," that many of us became aware of him, and though the contrary opinion seems the vogue, a few of us still hold that he seldom surpassed the chronicle of the hobo-scholiast's last days; certainly seldom in sheer brilliance and certainly not often in dramatic effectiveness. That reprinting was close to the days of "The Porcupine" and "Van Zorn," the forgotten prose plays. Deftness of phrase, the magic of words, shimmered over most of his pages from first to last; but the dramatic clarity of words attendant on action hardly recurred in his sustained writing until the ante-penultimate "Talifer." With Robinson serving as scene-shifter in occasional link-passages, "Talifer" could be read and acted with high dramatic effect. I have seen it done.

It was "Tristram," of course, that won him his final public and turned to irrelevance the concluding couplet of "Dear Friends":

The shame I win for singing is all mine,
The gold I miss for dreaming is all yours.

Yet though no longer relevant, the lines are pertinent here, because "Tristram" and "Talifer," which met with most acclaim, were in their ways least Robinsonian: "Tristram" more lyrically romantic than usual, "Talifer" more gayly intellectual. When Robert Frost declared that "Robinson was a prince of heart-achers amidst countless achers of another part. The sincerity he wrought in was all sad," Frost accounted for the limits to his friend's popularity. Neither of them cared greatly when it was narrow, but both were naturally pleased when it broadened. For it broadened through Robinson's own expansive versatility. He made no conscious concessions to the public.

There will always be those to question whether all Robinson's verse is poetry and those to deny that most of it is. The argument could be settled through a final definition of poetry, but that will never be made. It is clear, if poetry is not poetry unless it is like Keats's, that much of Robinson's is outside the pale. Yet for sheer beauty little of Keats surpasses the last pages of "Tristram," and it is significant that Robinson felt "he was up about as well there" as in anything he wrote.

The peculiar Robinsonian quality, however, depended on dexterity of thought and dexterity of phrase; for in all the sadness of his prevailing mood there is the technical felicity which is inseparable from esthetic felicity—the "easy way the obstacle of verse is turned to advantage." The sheer pleasure of doing the exceedingly difficult thing with exceeding ease transmits itself in humor, however covert, an in playfulness, however guarded. Whether in ellipsis or in ingenious circumlocution, in innuendo or literal neatness of phrase, the somberness of tone is tinged with something akin to gayety. Through these he achieved. "The utmost of

ambition is to lodge a few poems where they will be hard to get rid of, to lodge a few irreducible bits where Robinson lodged more than his share."

Mr. Brown's modest memoir of a friendship seems to be the sort of tribute that Robinson might have sanctioned. It presents him as a kindly friend to his studio neighbor at the MacDowell Colony, moderately talkative with a real crony, distressfully silent when chance encircled him with lion-hunters; solicitous about the fate of his poems, unhappy when they were misinterpreted or when he was misrepresented. Robinson's reminiscences revealed the acuteness of his early struggles, the length of the day until his clock struck twelve, and thereafter his generous interest in others not so fortunate. In short he was like most artists when you come to know them: human, fallible, amiable. Genius was not written upon his brow. And yet, his friend concludes:

A moment later I caught a glimpse of him as I should be glad always to remember him: a tall man . . . swinging along beneath quiet pines over a curving road. . . . His head was a little high, as if he were concerned with exceptional possibilities.

PERCY H. BOYNTON.

A Journalist Looks at the Court

The Court Disposes, by Isidor Feinstein. New York: Covici, Friede. 127 pages. \$1.

ALTHOUGH Mr. Feinstein in this small volume has made no original contribution to the merits of the controversy over judicial power, his persuasive talent of advocacy is skillfully used in restating and rearguing the nation's case against the Justices of its Supreme Court. No doubt the X-ray eyes of Liberty League lawyers will catch Mr. Feinstein's occasional errors of fact and will therefore deny validity to his lay criticism. What will principally offend the jurist of the American Bar Association is the insolence of this journalist who, without legal training, has assumed the right to discuss the delicate problems of constitutional law. Mr. Feinstein, however, is to be thanked for breaking into the lawyers' sanctuary and insisting upon the layman's right and proving his capacity to criticize constitutional decisions.

Because he has vigorously accomplished what he set out to do it is, perhaps, ungrateful to suggest that he should have done more. The number of similar achievements is, however, so great that one becomes somewhat impatient

with the familiar insistence upon judicial folly. The constitutional convention has been so often discussed, and the decisions of the Court have so frequently been analyzed that the average citizen possessed of any desire to learn can readily determine which mistaken doctrines were the sins of the Fathers and which the errors of the Justices. Criticism of the Court has for too long acquired its energy from no more precise or philosophic instinct than a preference for liberalism. The immediate need is for a fresh interpretation of our constitutional history as a whole. Max Lerner, a few years ago in *The Yale Law Journal*, stated this need and suggested a possible method of approach. Liberal lawyers have been indifferent to the opportunity and have spent their efforts in a repetitious indignation over particular decisions and tendencies. Had Mr. Feinstein endeavored to reach that larger meaning in constitutional law which the legal profession has not yet found, his exceptional talents might have been more profitably exercised.

MARK HOWE JR.

Pure Poetry

From Jordan's Delight, by R. P. Blackmur. New York: Arrow Editions. 105 pages. \$2.50.

WHETHER or not Van Wyck Brooks is right when he says that New England culture is reflowering, Blackmur, who is nothing if not New England, has published a book which requires integrity of his readers, and which has an excellence meriting national recognition. It has only one poor success, "Half-tide Ledge," and only one failure, the closing fustian, which dates from his tender years. As against these, his score of sonnets, which recur tactfully between contrasting forms, are each complete and sure. "Scarabs for the Living" concentrates his habitual expression. It surpasses, because the Puritan myth is closer to Blackmur and our time than the Greek myth was to Landor and his time, that supposed unsurpassable master of the epigram:

Pride is the thing outside
pride is the itching hide:
the proud man out of doors
goes naked in his sores.
Forgive him that he shrinks inside.

Yet no myth takes firm hold on Blackmur. If he continues as a minor poet, it will be because—although with tones of authority he supplicates at the threshold of ideas—

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he uses philosophy only for poetic purposes, and is not made victim to any major obsession that compels one to use poetry for philosophic purpose. At its least fortunate turns, this makes well wrought verses resolve into clichés. "Three Songs at Equinox" says no more than this: that thoughtful equals pessimistic, practical equals thoughtless, esthetic equals useless. Verse need not be philosophic to be poetry, but if it comes near, it must meet or surpass; for prosody is a science of managed association which has more profound powers than the charms of texture that preoccupy the priesthood of "pure poetry."

Blackmur is preoccupied with "pure poetry." Nothing short of obsession could produce "River Walk." Its verbal and mental music have not lately been surpassed. His metrics have the individuality of the classic composers of chamber music. In reaching to this achievement he strikes off a verse here and there that defies scansion. An unheeding disregard for punctuation yet serves a purpose in keeping his readers distractedly alert. This is well and not well, for the joints of his moods with everyday are thin at times, and one must be alert with utter inner poise to hear or to heed him. A whole page of print, which yesterday opened upon vistas, today will seem blank until tomorrow it opens wider. Always the subject matter—seascape and city, love and solitude—illustrates human subterfuge from oblivion and ruse against the unavoidable futility of existence. Gentle and pacific, Blackmur, like all the alert who are not fired by revolutionary myth (and like many who want to be so fired) is nihilist. For this reason, even as he finds home Way Down East and in the Hub where landscape and men exhausted smile and move and speak with grace unknown to their past times of strength, so does he universally at once express and comment upon a cultural decadence.

JOHN BROOKS WHEELWRIGHT.

Contributors

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EDMUND WILSON's newest book, "This Room and This Gin and These Sandwiches," a collection of three plays, has recently been published as one of The New Republic Dollar Series.

JOHN ADAMS KINGSBURY, for many years secretary of the Milbank Memorial Fund, is a director of the National Tuberculosis Association and a Fellow of the American Public Health Association and of the New York Academy of Medicine.

HAARON M. CHEVALIER, the author of "The Ironic Temper: Anatole France and His Time" and the translator of Malraux, teaches at the University of California.

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MARK HOWE JR., formerly secretary to Mr. Justice Holmes, practises law in Boston. He has contributed reviews to The New York Herald Tribune Books, The Harvard Law Review and The New England Quarterly.

JOHN BROOKS WHEELWRIGHT has prepared a book of sonnets for publication and will shortly complete a book of longer poems. He has arranged a show of Spanish loyalist posters now on exhibition in Boston which are being sold for the benefit of the North American Committee for the Defense of Spanish Democracy.

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